

TENTATIVE:
SUBJECT TO
REVISION



TOWN OF PALM BEACH

Town Manager's Office
TOWN COUNCIL MEETING

HELD VIRTUALLY VIA ZOOM WEBINAR

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AGENDA

AUGUST 11, 2020

9:30 AM

Welcome

For information regarding this agenda and the procedures for public participation at Town Council Meetings, please refer to the end of this agenda.

I. CALL TO ORDER AND ROLL CALL

Gail L. Coniglio, Mayor
Margaret A. Zeidman, President
Bobbie Lindsay, President Pro Tem
Julie Araskog
Lew Crampton
Danielle H. Moore

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

V. PRESENTATIONS

- A.** Scholarships provided by the Palm Beach Country Club
Danielle Olson, Director of Human Resources
- B.** Scholarships provided by the Thomas Mettler Memorial Scholarship Fund
Danielle Olson, Director of Human Resources

VI. COMMENTS OF MAYOR GAIL L. CONIGLIO

VII. COMMENTS OF TOWN COUNCIL MEMBERS

VIII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

IX. APPROVAL OF CONSENT AGENDA

A. MINUTES

- 1. Town Council Meeting Minutes Page 6
Pat Gayle-Gordon, Acting Town Clerk
 - a. June 10, 2020, Town Council Meeting Minutes
Deferred from the July 14, 2020, Town Council Meeting
 - b. July 14, 2020, Special Town Council Meeting Minutes
 - c. July 14, 2020, Town Council Meeting Minutes
 - d. July 15, 2020, Town Council Development Review Meeting Minutes
- 2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of July 29, 2020. Page 58
Wayne Bergman, Acting Director of Planning, Zoning and Building

B. RESOLUTIONS

- 1. RESOLUTION NO. 60-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Selection Committee Recommendation for Award of RFQ No. 2020-05, Mid-Town Seawall Design and Construction Management Services to GHD, Inc. in the amount of \$659,522 and an overall project budget of \$758,450. Page 87
Dean Mealy, Purchasing Manager
- 2. RESOLUTION NO. 61-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Selection Committee Recommendation for RFP No. 2020-12, Marina Software to Dockwa, Inc. in the amount of \$32,987 for the first year and then \$30,588 for each year after, for a proposed five year contract amount of \$185,927 contingent upon satisfactory vendor performance and budget authorization. Page 153
Dean Mealy, Purchasing Manager

X. REGULAR AGENDA

A. Old Business

1. Shoreline Condition Update Page 190
H. Paul Brazil, P.E., Director of Public Works
2. Town-wide Undergrounding Project Page 192
Steve Stern, Project Manager
 - a. Review of Project and Dashboard, Summary of Project Status
 - b. Request from Property Owner of 70 Middle Road to Remove Sidewalk on Middle Road and Via Marina to Avoid a Chicane on Via Marina
3. COVID-19 Update Page 243
Kirk W. Blouin, Town Manager
TIME CERTAIN: 11:00 AM
 - a. Report on COVID-19 Infections and Hospitalizations (*written backup provided in purple folder*)
 - b. Report on Compliance and Enforcement, Relative to State, County and Town Orders (*verbal report*)
 - c. RESOLUTION NO. 63-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida Concurring With The Request of The Town's Chief of Police, To Extend The Chief's Declaration of The Existence Of A State of Emergency Within The Corporate Limits of The Town To September 10, 2020, Unless Earlier Terminated By The Chief of Police, At Which Time The Town Council Will Address The Need For Any Extension of The Declaration of Emergency; Providing For An Effective Date.
4. Palm Beach Country Club Deed and Easement Modifications with the Town of Palm Beach Page 248
H. Paul Brazil, P.E., Director of Public Works
5. Town Marina Project Page 270
H. Paul Brazil, P.E. Director of Public Works
 - a. Presentation of Conceptual Plans Prepared by Fairfax, Sammons & Associates for Improvements to Town Marina Upland Amenities, Lake Drive Park and South Lake Drive
 - b. Discussion Regarding Potential Change to Architecture of Dock Buildings
 - c. RESOLUTION NO. 62-2020 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Increasing Purchase Order No. 190332 to Baird and Associates, Inc., in the Amount of \$50,000, for Consulting Services to Obtain Landmarks Preservation Commission Certificate of Appropriateness and Town

Council Site Plan Approval, Thereby Increasing the Purchase Order from \$1,706,229.25 To \$ 1,756,229.25.

d. RESOLUTION NO. 64-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Increasing Purchase Order No. 200662 to Murray Logan Construction Inc., in the Amount of \$700,000, for Installation of Additional Conduit, Pull Boxes and Cable to Facilitate the Lake Drive Park Redesign Project, Thereby Increasing the Purchase Order From \$21,115,772.13 to \$21,815,772.13.

B. New Business

1. Consideration of Proposal from the Preservation Foundation to Complete a Masterplan for Improvements at Phipps Ocean Park
Jay Boodheshwar, Deputy Town Manager Page 316
2. Ownership and Use of Beach and Accesses Between Wells Road and Root Trail Page 321
H. Paul Brazil, P.E., Director of Public Works

C. Matters Pulled From Consent Agenda: If needed

XI. ANY OTHER MATTERS

XII. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Note 2: Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.

Note 3: Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.

Note 4: All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

PROCEDURES FOR PUBLIC PARTICIPATION

Citizens desiring to address the Town Council should proceed toward the public microphones when the applicable agenda item is being considered to enable the Town Council President to acknowledge you.

PUBLIC HEARINGS: Any citizen is entitled to be heard on an official agenda item under the section entitled "Public Hearings," subject to the three minute limitation.

COMMUNICATIONS FROM CITIZENS: Any citizen is entitled to be heard concerning any matter under the section entitled "Communications from Citizens," subject to the three minute limitation. The public also has the opportunity to speak to any item listed on the agenda, including the consent agenda, at the time the agenda item comes up for discussion.

OTHER AGENDA ITEMS: Any citizen is entitled to be heard on any official agenda item when the Town Council calls for public comments, subject to the three minute limitation.

Town Council Meetings are public business meetings and, as such, the Town Council retains the right to limit discussion on any issue.

TOWN OF PALM BEACH

Town Council Meeting on: August 11, 2020

Section of Agenda Minutes

Agenda Title
Town Council Meeting Minutes
Pat Gayle-Gordon, Acting Town Clerk

- a. June 10, 2020, Town Council Meeting Minutes
Deferred from the July 14, 2020, Town Council Meeting
- b. July 14, 2020, Special Town Council Meeting Minutes
- c. July 14, 2020, Town Council Meeting Minutes
- d. July 15, 2020, Town Council Development Review Meeting Minutes

Presenter

ATTACHMENTS:

- ▣ **June 10, 2020, Town Council Meeting Minutes**
- ▣ **July 14, 2020, Special Town Council Meeting Minutes**
- ▣ **July 14, 2020, Town Council Meeting Minutes**
- ▣ **July 15, 2020, Town Council Development Review Meeting**



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE TOWN COUNCIL MEETING HELD ON WEDNESDAY, JUNE 10, 2020

I. CALL TO ORDER AND ROLL CALL

The Town Council Meeting of Wednesday, June 10, 2020, was called to order at 9:30 a.m. On roll call, all council members were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Acting Town Clerk Pat Gayle-Gordon gave the Invocation and Council President Margaret A. Zeidman led the Pledge of Allegiance.

III. MODIFICATIONS TO THE AGENDA

The following changes were made to the agenda:

1. Item No. IX.A.2. TOWN MARINA PROJECT UPDATE is re-numbered as follows:
 - c. renumbered as a.
 - a. renumbered as b.
 - b. renumbered as c.
2. Resolution No. 44-2020 is added as Item No. IX.A.3.e

IV. APPROVAL OF AGENDA

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to approve the Agenda, as amended. On roll call, the motion passed unanimously.

V. COMMENTS OF MAYOR GAIL L. CONIGLIO

Mayor Gail Coniglio thanked the following employees who have retired for their years of service to the Town: James Nelms for 23 years of service in Public Works and Allan Emery for 15 years of service at the Town Docks. She commented on the ARCOM and Landmarks Preservation Commission meetings that were held in the council chambers; thanked the staff and police department's handling of the protests in Town and directed residents to begin hurricane preparations.

VI. COMMENTS OF TOWN COUNCIL MEMBERS

Council Member Araskog spoke regarding the protests concerning the incident in Minneapolis. She also spoke regarding the rumor of a protest in Town that was attended by a single resident. She stated that the Town did not hold the event. She thanked the Town Manager, Police Chief and the Police Officers for their handling of the protests.

Council Member Crampton thanked Council Member Araskog for her remarks and said he was in agreement with her comments. He stated that the newly created Business and Administrative Committee had been tasked with looking into parking issues and the first meeting will be held on Tuesday, June 23, 2020 at 9:30 a.m.

Council President Pro Tem Lindsay congratulated and thanked Council Member Araskog for her comments and stated that she felt the same way. She stated that she was thankful for the Business and Administrative Committee scheduling a meeting to handle the parking management problem.

Council Member Moore thanked Council Member Araskog for her comments. She also thanked the Public Works Dept. (specifically Paul Brazil and Patricia Strayer) for handling an incident involving the gas company which affected her home.

Council President Zeidman thanked Council Member Araskog for her comments and stated that the "demonstration attended by one person" was a rumor and had not been scheduled. President Zeidman then spoke regarding Dr. Alina Alonso, Director of Palm Beach County Dept. of Health, and the information being relayed by her. She then spoke about the purple folders and how they will be handled in the future.

VII. COMMUNICATIONS FROM CITIZENS—3 MINUTE LIMIT PLEASE

Jay Boodheshwar, Deputy Town Manager notified all that Johnathon Stern who expressed his wish to speak was having technical difficulties joining the meeting. He wished to speak on the facial covering issue and was advised to send his comments via email and it would be read at that item.

Rene Silvin, 422 Australian Avenue, spoke regarding the Town's management and policing policy.

VIII. APPROVAL OF CONSENT AGENDA

Item No. VIII.B.2. Resolution No. 37-2020 was pulled from the Consent Agenda and heard as Item No. IX.B.1.

Motion was made by Council President Pro Tem Lindsay and was seconded by Council Member Crampton to approve the Consent Agenda, as amended. On roll call, the motion passed unanimously.

A. MINUTES

1. Town Council Meeting Minutes
Pat Gayle-Gordon, Acting Town Clerk
 - a. May 13, 2020, Town Council Meeting Minutes
 - b. May 13, 2020, Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of May 27, 2020.
Wayne Bergman, Acting Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 35-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Selection Committee Recommendation for RFQ No. 2020-08, Pre-qualification of Contractors for Minor Construction to the Following Five Firms: Republic Construction Corporation, CRS Associates Inc., E & F Florida Enterprises Inc., IQ Construction Inc., and Arch Enterprises Inc.
Dean Mealy, Purchasing Manager
2. RESOLUTION NO. 37-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Spur Employment Inc., in the Amount of \$123,575 for the Remainder of FY20, and an Increase to the Remaining Four Years of the Contract in the Amount of \$494,300 Contingent Upon Subsequent Need for Services, Budget Approval and Satisfactory Vendor Performance.
Dean Mealy, Purchasing Manager
3. RESOLUTION NO. 38-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Establishing Town Marina Deposit Rates For Annual And Seasonal Leases To Commence In Fall 2021.
Carolyn Stone, Director of Business Development and Operations
4. RESOLUTION NO. 39-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$120,047 to Coastal Eco-Group, Inc., for the 2020 Annual FDEP BMA Cell-Wide Biological Monitoring, and Establishing a Cell-Wide Biological Monitoring Phase Budget of \$130,000.
H. Paul Brazil, P.E., Director of Public Works
5. RESOLUTION NO. 40-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for the De-Designation of the Historic/Specimen Tree from the Property at 1 Via Sunny within the Town of Palm Beach. Providing for the Recording of Said Removal and De-Designation; and Providing that a Copy of this Resolution be Recorded in the Public Records of Palm Beach County, Florida.
H. Paul Brazil, P.E., Director of Public Works

6. RESOLUTION NO. 41-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$149,648 to Applied Technology & Management, Inc., for Town-Wide 2020 Annual Physical Surveys, and Establishing a Physical Monitoring Budget of \$160,000.

H. Paul Brazil, P.E., Director of Public Works

C. OTHER

1. 227 Miraflores Drive, El Paraiso Subdivision
2. Endorse Palm Beach Resilient Islands Phase I in Lake Worth Lagoon

H. Paul Brazil, P.E., Director of Public Works

H. Paul Brazil, P.E., Director of Public Works

IX. REGULAR AGENDA

A. Old Business

1. Town-wide Undergrounding Project

Steve Stern, Project Manager

a. Review of Project and Dashboard, Summary of Project Status

Steve Stern, Project Manager, gave an update on the status of the undergrounding project. He informed that the undergrounding public meetings were on hold due to the coronavirus pandemic. He reported on the following phases of the project:

Phase 2N: 80% complete

Phase 2S: On schedule

Phase 3N: Over 50% complete

Phase 3S: Easement acquisition in progress. No progress on Golfview Road.

Phase 4N: Easement acquisition nearly complete. 4 chicanes on Monterrey, Orange Grove and List Roads.

Phase 4S: Easement acquisition in progress; 42 of 63 recorded/ approved.

Phases 5N and 5S: Slow progress in easement acquisitions.

He mentioned there were no changes to the financial summary from last month.

Council Member Araskog inquired about the critical easements in the current phases and the process going forward if they were not received. Mr. Stern responded that those could be postponed until the end of the project.

Council Member Crampton thanked Mr. Stern for his help with the residents' problems in the south end.

Responding to Council President Pro Tem Lindsay, Mr. Stern informed

that for Phase 5S, they were asking for easements from property owners on South Lake Drive so that 5 vista switches could be placed on private property instead of on the public green space.

2. Town Marina Project Update

Jay Boodheshwar, Deputy Town Manager

a. Design Concept Recommendation for Improvements to Lake Drive Park, South Lake Drive, and Marina Parking

This item was heard as item (b).

Deputy Town Manager Jay Boodheshwar explained that the agenda was structured to match the prepared presentation – overview, design concept process, review of project timeline, recommendations and then resolutions. He asked that staff be allowed their presentation prior to motion on the Peer Review. After much discussion about the order of presentations, President Zeidman instructed Mr. Boodheshwar to move forward with his presentation.

Mr. Boodheshwar gave an overview of the various design concepts that were received from the residents and pointed out the features that were necessary for the Marina operations.

A lengthy discussion ensued after which it was decided that Design Concept A-1 which had been selected by the public on May 20, 2020 as the most desirable plan and would best suit the project. Mr. Boodheshwar summarized the scope of work for Fairfax & Sammons being A-1 as the baseline and the recommendation will be presented at the July council meeting. Mr. Brazil pointed out that there are 15 work days between today and the deadline for backup for the July council meeting as this is a very tight timeline an update will be presented at the council meeting if it is not complete. Mr. Brazil explained the reasons for installation of the upgraded electrical conduits and wirings.

Motion was made by Council Member Crampton and was seconded by Council President Pro Tem Lindsay to approve Design Concept A-1 and the installation of new conduits and wirings. On roll call, the motion passed unanimously.

b. RESOLUTION NO. 43-2020 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order Increase for Additional Design Task Services for Landmarks Preservation Commission Application for the Town Marina Project to W.F. Baird & Associates, in an Amount Not-To-Exceed \$25,000 to Increase the Purchase Order from \$1,706,229.25 to \$1,731,229.25.

H. Paul Brazil, P.E., Director of Public Works

This item was heard as item (c).

Mr. Boodheshwar explained the need for an increase to the purchase order but Town Council decided to defer this resolution to a later date as requested by staff.

Motion was made by Council Member Araskog and was seconded by Council President Pro Tem Lindsay to defer Resolution No. 43-2020. On roll call, the motion passed unanimously.

c. RESOLUTION NO. 42-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Selection Committee Recommendation for RFP No. 2020-16, Design Consultant and Peer Review of Lake Drive Park to Fairfax, Sammons & Partners, LLC in the Amount Not To Exceed \$34,500.

Dean Mealy, Purchasing Manager

This item was heard as item (a).

Mr. Boodheshwar introduced Dean Mealy, Purchasing Manager, who explained the process by which the Selection Committee recommended Fairfax, Sammons & Partners, LLC to be awarded RFP No. 2020-16. He highlighted that there was a firm cap of \$34,999 for this RFP and that the turnaround time for the review would be no more than two weeks.

Council President Pro Tem Lindsay explained that the reasoning behind this peer review was the fact that several different design concepts were offered by the residents of the community and the staff and she thought it imperative that a firm with wide experience in civic projects of their caliber be sought for their expertise. She went on to say that all aspects should relate to each other as a coordinated concept.

Mr. Boodheshwar responded to Mayor Coniglio that at the last council meeting it was decided that the procurement process to select the design consultant should continue and staff should return to Council with the decision. Mr. Mealy stated that the scope for the process satisfied the guidelines and the law but was not sufficient to move forward.

Council Member Araskog remarked that the RFP requested no more than two weeks for the review and pointed out that the firm chosen by the selection committee was of the high caliber deserving of the Town of Palm Beach.

In response to Council Member Crampton, Mr. Boodheshwar briefly explained the timeline for the process.

Paul Brazil, Director of Public Works cautioned all that an inordinate amount of time cannot be spent on any one step in the process.

Council President Pro Tem Lindsay spoke regarding the timeframe for the improvements to be carried out.

Council President Zeidman remarked that the project was of utmost importance as that location is one of the gateways to the Town and as a civic project worthy of another pair of eyes. She stated that this marina will be here for decades to come.

Motion was made by Council Member Crampton and was seconded by Council Member Araskog to approve Resolution No. 42-2020. On roll call, the motion passed 4-1 with Council Member Moore dissenting.

3. Update and Discussion on Matters Relating to the Town's Response to the Coronavirus Pandemic

Kirk W. Blouin, Town Manager

a. Report on Status of Outdoor Seating for Restaurants and Retail Displays

Town Manager Kirk Blouin referred to the report in the backup and gave an update on the number of restaurants (10) and retail establishments (33) that had applied for outdoor seating/space. He also mentioned that one complaint had been received regarding private establishments using public spaces. Mr. Boodheshwar reported that eleven applications have been approved for outdoor seating. He explained the fees being charged for this usage as \$2500 damage deposit for use of public parks and \$1000 damage deposit for use of public sidewalk spaces. He stated that no approval will be given for use of sidewalk space which impedes ADA or public access. After discussion, it was decided that the use of the public spaces and damage deposit will be determined by staff.

b. Consideration of Mandatory Facial Coverings in the Town of Palm Beach

Council Member Moore expressed her disapproval for mandatory facial coverings as she felt it could lead to lawsuits against the Town. Council Member Lindsay also voiced her concern regarding this mandatory order but felt it should be the responsibility of the business establishments and suggested that they post signs for requiring mandatory facial coverings to enter the establishment. Council President Zeidman explained the reasons for wearing a facial covering and reported on the number of COVID-19 cases in the Palm Beach County, the State of Florida and the U.S.A. She remarked that she was not in favor of making facial coverings mandatory at this time because enforcement would utilize our law enforcement resources at a time when they were needed. She asked Chief Caristo to share his perspective. She stated, "should you wear a mask and will the mask reduce transmission? The answer is yes and yes." Council Member Crampton and Mayor Coniglio also expressed concern for making facial coverings mandatory because it would be "confusing" without the rest of the County following suit. Council Member Araskog expressed approval for the mandatory facial coverings. Police Chief Caristo spoke regarding certain counties that do have a mandatory facial covering order. Town Manager Blouin advised that Broward and Miami-Dade Counties do have an order in place. Palm Beach County does not currently have an order in place, but strongly encourages wearing of a facial covering when social distancing cannot be enforced. Chief Caristo expressed his concerns regarding the difficulties in enforcing the order.

Deputy Town Manager Boodheshwar read an email from Johnathon Stern as public comment.

Town Attorney John C. Randolph advised that he was not concerned about lawsuits as this was for public health and safety. He stated he was more concerned with the difficulties the Police will have with enforcement of the order.

After further discussion, it was determined that there will be no order at this time regarding mandatory facial coverings in Town but the Emergency Order mandating masks would remain as a potential action under the Town's Emergency Orders, if needed.

c. Update on Public Meetings (verbal update only)

Deputy Town Manager Boodheshwar explained that staff had put certain measures in place in the Council Chambers to follow the social distancing guidelines and was ready to move forward with returning to in-person meetings. He also stated that virtual meetings should continue until the end of June.

Council President Zeidman expressed several concerns regarding in-person meetings including residents who have homes in other states and having them returning for meetings. Council Member Araskog expressed her concerns about returning to in-person meetings and stated that she would like to continue virtual meetings. Mayor Coniglio requested that the July and August meetings continue to be held virtually. Council Member Crampton stated that his preference is for in-person meetings. President Pro Tem Lindsay expressed her concerns and stated that she was in favor of returning to in-person meetings. Council Member Moore expressed her concern about travelling back from Michigan and having to quarantine for 14 days before and after the meeting, so she is in favor of holding virtual meetings in July.

At the request of President Zeidman, Deputy Town Manager Boodheshwar explained the process of using GoToWebinar for holding meetings. He explained that it could accommodate a maximum of six people using the webcam. He cautioned that it would be best to use a wired (cable from modem to computer) connection to prevent degraded video connectivity. He also explained the reasons for using GoToWebinar vs. GoToMeeting for public meetings.

President Zeidman announced that all public meetings will continue to be held virtually until the end of July and that this will be revisited at the July meeting to make a determination regarding August meetings.

d. Discussion Regarding Lake Trail Rules (verbal update only)

Council President Zeidman introduced Police Chief Caristo who provided an overview of the uses of the trail.

Council Member Araskog stated that she had received complaints from residents concerning the times of use for walkers and riders. Chief Caristo suggested keeping the usage times on the trail to be as simple as possible to avoid confusion.

After further discussion, it was decided to return to normal hours of operation on the Lake Trail when Palm Beach County enters Phase II reopening, but for now the hours will remain as they are under the Emergency Orders: 9AM to 4PM walkers only.

- e. RESOLUTION NO. 44-2020 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida Concurring With The Request Of The Town's Chief Of Police, To Extend The Chief's Declaration Of The Existence Of A State Of Emergency Within The Corporate Limits Of The Town To July 14, 2020, Unless Earlier Terminated By The Chief Of Police, At Which Time The Town Council Will Address The Need For Any Extension Of The Declaration Of Emergency; Providing For An Effective Date.

Town Manager Blouin gave an overview of the reasons for the extension of the Town's State of Emergency order.

Motion was made by Council Member Araskog and was seconded by Council Member Moore to approve Resolution No. 44-2020. On roll call, the motion passed unanimously.

B. Matters Pulled From Consent Agenda: If needed

- 1. RESOLUTION NO. 37-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Spur Employment Inc., in the Amount of \$123,575 for the Remainder of FY20, and an Increase to the Remaining Four Years of the Contract in the Amount of \$494,300 Contingent Upon Subsequent Need for Services, Budget Approval and Satisfactory Vendor Performance.
Dean Mealy, Purchasing Manager

Dean Mealy, Purchasing Manager reported that the change order to the contract for Spur Employment Inc. was due to the Police Department's need for temporary parking enforcement officers.

Motion was made by Council Member Araskog and was seconded by Council President Zeidman to approve Resolution No. 37-2020. On roll call, the motion passed unanimously.

X. ANY OTHER MATTERS – None

XI. ADJOURNMENT

There being no further business to discuss, the Town Council Meeting of June 10, 2020, was adjourned at 5:55 p.m.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk

Date

Council Member Araskog's Comments made at the June 10, 2020 Meeting.

I went to law school at 48 because of the atrocities I witnessed in regard to the inherent bias and unfairness of our judicial system and arrests when it came to the poor and mentally ill, especially African Americans and Hispanics. We have a problem and I have seen it first hand. I stand with Kirk Blouin and all the comments he made at Town Hall last week. I do not think there is a resident in town who does not believe what happened in Minneapolis was inhumane and atrocious, and many have contacted me to say exactly that. People expressed concern about protests in our Town due to COVID and our older population. Others wished they could have joined protests. Still others joined protests in West Palm Beach

I am deeply disturbed by the coverage in the Daily News last Thursday titled "Floyd Protest: Woman 80 is sole protester at Town of Palm Beach Event," that went viral, making it appear that the Town had an event and that only one person cared to show up to speak out against the killing of George Floyd. CNN even ran it. The Town did not have an event, there was nothing scheduled...there was just a rumor of a possible event. The Town alert stated that we would keep the residents updated. Additionally, that was the exact time our Town Manager, who served honorably as a police officer and police chief, was updating the residents on the current situation and denouncing the actions of the Minneapolis officers involved in the killing of George Floyd. Council Members asked to greet protesters at the Bridge, but there were COVID and safety issues and we learned the protest was actually scheduled [to take place] in West Palm Beach.

The police asked residents to stay home on that day for our safety as there were threats and they wanted to keep us safe. We saw what happened in Miami, Fort Lauderdale and even West Palm Beach, not to mention towns and cities across the country. There were peaceful protesters who were in pain and needed a voice. They deserve to be heard.

But there were also agitators and looters who took advantage of the situation causing violence and destruction. You cannot predict what will happen when tensions are high. Decisions were made based on INTEL to keep our residents safe. We will never know what would have happened if not for the actions of our Police Chief, and the Secret Service, Sheriff's office and the West Palm Beach Police Department. Being the home of the Winter White House brings more security issues than the average Town, and our chief did not want to risk the lives or property of our residents and business owners and their employees.

I applaud Chief Caristo for making difficult decisions to keep our Town and Businesses safe. Storeowners have thanked me for the tough decisions made to protect their investments that have taken huge hits from Corona. One storeowner described the devastation to businesses by looters and agitators who wreaked havoc in an area where she has another store in Manhattan. We did our best and I am proud of our police department. Some officers were spit on- they did not

respond. Some saw peaceful protesters dehydrated and they came to the aid of those individuals without a second thought. Our residents and police were misrepresented and I do not believe it was appropriate or fair.

In closing, I would like to say that we all need to show more kindness to each other and to understand the pain of discrimination in our country. We also need to understand the pain of good officers who go to work every day facing dangers none of us could imagine. Most became police officers to serve others and are not capable of the actions in Minnesota or of racism. Many officers were wounded or killed as a result of the violence that occurred, not by peaceful protesters, but by those who were out to get any officer good or bad. We need to all come together for change but please do not lump all officers together forgetting those who selflessly serve communities all over Florida and our country, and especially, right here in our Town. I am for change and hope we can come together to heal and bring about much needed discussion and action for equality and justice for all. As the pledge of allegiance we just proclaimed stated: One nation, under God, indivisible, with liberty and justice for all.



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON TUESDAY, JULY 14, 2020

I. CALL TO ORDER AND ROLL CALL

The Special Town Council Meeting was called to order on Tuesday, July 14, 2020, at 9:30 a.m. On roll call, all elected officials were found to be present.

II. PLEDGE OF ALLEGIANCE

Council President Zeidman led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Motion was made by Council Member Araskog, and was seconded by Council Member Crampton to approve the Agenda. On roll call, the motion carried unanimously.

IV. COMMUNICATIONS FROM CITIZENS – 3 MINUTE LIMIT

V. TOWN MANAGER'S OVERVIEW OF THE PROPOSED FY21 BUDGET

Town Manager Kirk Blouin provided an overview of the budget preparation process. He presented the budget highlights, philosophy and methodology used by staff for creating the budget and mentioned certain challenges encountered.

A. General Fund

1. Review of General Fund Revenues for FY2021

Jane Le Clainche, Director of Finance provided an overview of the FY20 current financial condition. She mentioned meetings with other local municipalities and state organizations regarding the reduction in state revenues and fees that had been affected due to the pandemic. She reported that based on her analysis of the revenue sources, the Town will have reductions but will not suffer the same effects as some neighboring municipalities and the County. She stated that revenue losses amounted to less than was projected and overall the Fiscal Year should end with a \$1.7M surplus.

2. General Fund Expenditures – Department Review
 - a) Legislative
 - b) General Government
 - c) Town Manager
 - d) Advice and Litigation
 - e) Town Clerk
 - f) Information Technology
 - g) Human Resources
 - h) Finance
 - i) Planning Zoning and Building
 - j) Recreation and Tennis
 - k) Fire-Rescue
 - l) Police
 - m) Public Works
 - n) Transfer and Other

Director Le Clainche provided an overview of the proposed General Fund revenues for FY2021. She highlighted the property value increase of 4.68% over the past year and the proposed millage rate of 2.9962 which is a decrease of 2.34% from the prior year which will result in no increase for homesteaded properties and an increase of \$68 per million for non-homesteaded properties. She gave a breakdown of the tax bill by taxing districts. She mentioned that there was a decrease in salary, wages and employee benefits but an increase in retirement benefits. There was a 3.1% decrease in operating expenditures and a 4.18% decrease in total expenditures.

Director Le Clainche presented overviews on the reserves, Long Term Financial Plan, the underground utility project, debt service funds, capital improvement funds, enterprise funds, internal service funds and trust and agency funds.

Council Member Araskog requested an explanation of the Special Assignment Overtime expenditure. Town Manager Blouin explained the expenditure justification regarding the special assignment overtime.

Mayor Coniglio congratulated the Town Manager and staff on the budget and the overall financial outlook and commented that the Town has one of the lowest millage rates in the County and highest levels of service. She mentioned that some municipalities added certain service charges for sewage or trash pick-up to the millage rate. She also spoke regarding the East Coast Regional Wastewater Consortium and commented regarding the return of employee events after the pandemic.

Council Member Araskog expressed her agreements with the Mayor's comments.

Council Member Crampton expressed his agreement with the Mayor's comments and some concerns regarding the IT replacement fund. Town Manager Blouin

responded to Council Member Cramton's queries.

Council President Pro Tem Lindsay commented regarding various aspects of the budget.

Council Member Moore commented that she was comfortable with the budget.

President Zeidman expressed her thanks to the staff for a well done budget.

B. Debt Service Funds

Jane Le Clainche, Director of Finance

C. Capital Improvement Funds

1. Pay As You Go Capital Improvement Program
2. Coastal Protection Program
 - a. Review of 10 year budget
3. Worth Avenue Maintenance Program

H. Paul Brazil, Director of Public Works

D. Enterprise Fund Budgets

1. Town Docks Enterprise Fund
2. Par 3 Golf Course Enterprise Fund
3. Building Enterprise Fund

Wayne Bergman, Acting Director of Planning, Zoning and Building

E. Internal Service Funds

1. Health Insurance
2. Risk Management
3. Equipment Replacement Fund

Jane Le Clainche, Director of Finance

F. Trust and Agency Funds

1. Pension Funds
2. OPEB Trust

Jane Le Clainche, Director of Finance

- VI. **RESOLUTION NO. 45-2020** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County Florida, Approving a Proposed Operating Millage Rate of 3.0681 for the Tentative Fiscal Year 2021 Budget; Approving the Computed Rolled Back Millage Rate of 2.9500 to be Provided to the Property Appraiser in Accordance with F.S. 200.065; Establishing the Date, Time and Place of the First and the Final Budget Hearings to Consider the Proposed Millage Rates and Tentative Fiscal Year 2021 Budget and Directing the Town Manager to Transmit this Information to the Property Appraiser of Palm Beach County in Accordance with the Requirements of F.S. 200.065.

Motion was made by Council Member Araskog, and was seconded by Council

Member Moore to approve Resolution No. 45-2020. On roll call, the motion carried unanimously.

- VII. **RESOLUTION NO. 46-2020** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Recreation Department Fees for Fiscal Year 2021 and Granting Authority to the Director of Business Development and Operations to Modify Daily Tennis Fees, when Necessary, to Maximize Revenue During Underused Periods.

Motion was made by Council Member Crampton, and was seconded by Council President Pro Tem Lindsay to approve Resolution No. 46-2020. On roll call, the motion carried unanimously.

- VIII. **RESOLUTION NO. 47-2020** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Golf Fees for Fiscal Year 2021 and Granting Authority to the Director of Business Development and Operations to Modify, when Necessary, to Maximize Revenue During Underused Periods.

Motion was made by Council Member Araskog, and was seconded by Council Member Moore to approve Resolution No. 47-2020. On roll call, the motion carried unanimously.

- IX. **RESOLUTION NO. 48-2020** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating to the Worth Avenue Improvement Project; Establishing the Estimated Assessed Cost Against the Properties that will be Benefitted Thereby; Directing the Town Manager to Prepare an Updated Assessment Roll; Establishing a Public Hearing to Consider Approval of the Assessment Rolls and Reimposition of the Maintenance Assessments and their Collection Pursuant to the Uniform Assessment Collection Act; Directing the Provision of Notice; and Providing for an Effective Date.

Motion was made by Council Member Moore, and was seconded by Council Member Crampton to approve Resolution No. 48-2020. On roll call, the motion carried unanimously.

- X. **RESOLUTION NO. 49-2020** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating to the Peruvian Avenue Improvement Project; Establishing the Estimated Assessed Cost Against the Properties that will be Benefitted Thereby; Directing the Town Manager to Prepare an Updated Assessment Roll; Establishing a Public Hearing to Consider Approval of the Assessment Rolls and Reimposition of the Maintenance Assessments and their Collection Pursuant to the Uniform Assessment Collection Act; Directing the Provision of Notice; and Providing for an Effective Date.

Motion was made by Council Member Crampton, and was seconded by Council Member Moore to approve Resolution No. 49-2020. On roll call, the motion carried

unanimously.

- XI. **RESOLUTION NO. 50-2020** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating to the Collection and Disposal of Commercial Solid Waste; Establishing the Estimated Assessed Cost Against the Properties that Will Be Benefitted Thereby; Directing the Town Manager to Prepare an Updated Solid Waste Assessment Roll; Establishing a Public Hearing to Consider Approval of the Assessment Roll and Reimposition of the Service Assessments and Their Collection Pursuant to the Uniform Assessment Collection Act; Directing the Provision of Notice; and Providing for an Effective Date.

Motion was made by Council Member Araskog, and was seconded by Council President Pro Tem Lindsay to approve Resolution No. 50-2020. On roll call, the motion carried unanimously.

XII. **ANY OTHER MATTERS**

XIII. **ADJOURNMENT**

There being no further business to discuss, the Special Town Council Meeting of July 14, 2020, was adjourned at 11:20 a.m.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk

Date



TOWN OF PALM BEACH

Town of Clerk's Office

MINUTES OF THE TOWN COUNCIL MEETING HELD ON TUESDAY, JULY 14, 2020

I. CALL TO ORDER AND ROLL CALL

The Town Council Meeting Tuesday, July 14, 2020, was called to order at 12:00 p.m. On roll call, all elected officials were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Acting Town Clerk Pat Gayle-Gordon gave the Invocation and Council President Margaret A. Zeidman led the Pledge of Allegiance.

III. MODIFICATIONS TO THE AGENDA

The following changes were made to the agenda:

1. Deferred items V.C. and V.D. to the August 11, 2020 Town Council Meeting
2. Add to Any Other Matters the following:
 1. Consideration for ORS Committee to Study Noise Ordinance
 2. Consideration of Truck Study to be Presented at the August 11, 2020 Town Council Meeting
 3. Consideration of Forming Ad Hoc Committee Re: COVID-19

IV. APPROVAL OF AGENDA

Motion was made by Council Member Araskog and was seconded by Council President Pro Tem Lindsay to approve the Agenda, as

amended. On roll call, the motion passed unanimously.

V. PRESENTATIONS

A. Scholarship provided by the Palm Beach Civic Association and the Citizens Association of Palm Beach

Danielle Olson, Director of Human Resources, announced this scholarship would be awarded to Jack Stone, and listed his achievements. She congratulated Jack Stone and his mother, Carolyn Stone, Director of Business Development and Operations.

Mayor Coniglio spoke about the generosity of these associations and expressed congratulations. President Zeidman expressed appreciation to the scholarship recipient on behalf of the entire Town Council.

B. Scholarships provided by the Palm Beach Rotary Club Foundation

Danielle Olson, Director of Human Resources, announced scholarship recipients under the Flags for Heroes Program. Mayor Coniglio congratulated recipients Miranda Boodheshwar, Kalia Martin, Nicholas Pataca, Sophia Rivero, and Christopher Wilson. President Zeidman congratulated the recipients.

**C. Scholarships provided by the Palm Beach Country Club
*Deferred to the August 11, 2020, Town Council Meeting***

**D. Scholarships provided by the Thomas Mettler Memorial Scholarship Fund
*Deferred to the August 11, 2020, Town Council Meeting***

VI. BOARDS AND COMMISSIONS APPOINTMENTS

A. Appointments to the Investment Advisory Committee

Pat Gayle-Gordon, Deputy Town Clerk, explained there were two vacancies but only one person had applied. Kathleen Anderson, a current member, had applied for re-appointment. Ms. Gayle-Gordon advised the remaining vacancy would be re-advertised next month.

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to appoint Kathleen Anderson to the Investment Advisory Committee. On roll call, the motion passed unanimously.

VII. COMMENTS OF MAYOR GAIL L. CONIGLIO

Mayor Coniglio congratulated the Town Manager and the Directors for their hard work on the budget. She requested an agenda item next month to discuss behavior on

Wells Road Beach. Also, she asked that discussion of the Bike Trail be included in the COVID discussion and that Chief Caristo provide his perspective.

VIII. COMMENTS OF TOWN COUNCIL MEMBERS

Council Member Araskog agreed with the Mayor's comments. She reported she had been disturbed by media coverage of Palm Beach County Commission mandating masks, with no coverage of all the people who wanted the mandate. She stated the decision was made in the interest of health. Council Member Araskog reported the Palm Beach County Administrator was signing an order for restaurants to be closed between 11 p.m. and 5 a.m. She urged this community to wear masks and to social distance.

Council Member Moore expressed her disappointment that the plan for Lake Park by Fairfax and Sammons was not on today's agenda as the residents were promised, but said it would be on the agenda next month.

There were no other comments from Town Council members.

IX. COMMUNICATIONS FROM CITIZENS-3 MINUTE LIMIT PLEASE

There were no comments from the public.

X. APPROVAL OF CONSENT AGENDA

Item No. X.A.1.a was deferred to the July 15, 2020, Town Council Development Review Meeting and Item No. X.A.2 was pulled and heard as XIII.B.1.

Motion was made by Council Member Araskog and was seconded by Council Member Moore to approve the Consent Agenda as amended. On roll call, the motion passed unanimously.

A. MINUTES

1. Town Council Meeting Minutes
Pat Gayle-Gordon, Deputy Town Clerk
 - a. June 10, 2020, Town Council Meeting Minutes – ***Deferred to the July 15, 2020 Town Council Development Review Meeting***
 - b. June 10, 2020, Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of June 24, 2020. ***Pulled and heard as Item No. XIII.B.1.***
Wayne Bergman, Acting Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 22-2020 A Resolution of the Town

Council of the Town Of Palm Beach, Palm Beach County, Florida, Approving The Award Of Invitation To Bid No. 2020-10 To Intercounty Engineering, Inc. For D-16 and D-18 Stations In The Amount Of \$815,330 And An Overall Project Budget Of \$937,629.

Dean Mealy, Purchasing Manager

2. RESOLUTION NO. 54-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To For Professional Services And Scope Of Services To Provide Construction Services And Oversight Associated With The D-16 and D-18 Pump Station Rehabilitation Project With Chen-Moore and Associates In An Amount Not-To-Exceed \$200,000.

Dean Mealy, Purchasing Manager

3. RESOLUTION NO. 52-2020 A Resolution of The Town Council of The Town Of Palm Beach, Palm Beach County, Florida, Approving Selection Committee Recommendation For RFP No. 2020-09, Audit Services To Marcum LLP For The Initial Annual Award Of Amount Of \$90,715 And An Overall Five-Year Award Amount Of \$466,406 Contingent Upon Budget Approval And Satisfactory Vendor Performance.

The award to Marcum will result in an estimated cost savings to the Town in the amount of \$10,000 annually.

Dean Mealy, Purchasing Manager

4. RESOLUTION NO. 53-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving A Change Order To Zimmerman Tree Services In The Amount Of \$36,700 For The Remainder Of FY20 For A Total FY20 Allocation Of \$115,439.

Dean Mealy, Purchasing Manager

5. RESOLUTION NO. 55-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving The Award Of Invitation To Bid No. 2020-17, South Fire Chiller Replacement In The Amount Of \$135,000 And An Overall Project Budget Of \$155,000 To RGEN Enterprises, LLC dba Cool Air Conditioning.

Dean Mealy, Purchasing Manager

6. RESOLUTION NO. 57-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, authorizing approval of a Purchase Order for a Thirty Yard Dump Truck to Rechten International Trucks, Inc. Utilizing the Florida Sherriff Contract # FSA 19-VEH17.0 in the Amount of \$90,029.

XI. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Retirement Board of Trustees (written report only).**
Daniel W. Stanton, Chair

President Zeidman commented that the report from Chair Stanton was superb.

Motion was made by Council President Pro Tem Lindsay and was seconded by Council Member Araskog to accept the Annual Report of the Retirement Board of Trustees. On roll call, the motion passed unanimously.

XII. COMMITTEE REPORTS

- A. Report of the Business and Administrative Committee Meeting**
Held on June 23, 2020
Lew Crampton, Chair

Chair Crampton reported that the Committee met with Mr. Jay Boodheshwar regarding the parking issue and reviewed previous plans. Their goals going forward were to promote turnover, increase user convenience, increase revenues and decrease congestion, beginning with commercial parking. Discussion ensued. Mayor Coniglio mentioned the Wells Road meeting next month, which Council Member Crampton agreed to attend. The Mayor wanted to get consensus from the neighborhood. Council Member Araskog suggested the Town Council discuss this next month and decide whether to send it to the Business and Administrative Committee.

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to accept the Business and Administrative Committee Report. On roll call, the motion passed unanimously.

XIII. REGULAR AGENDA

- A. Old Business**

1. Town-wide Undergrounding Project
Steve Stern, Project Manager

- a. Review of Project and Dashboard, Summary of Project Status

Mr. Stern provided an update on the status of the program. Phase Three South postal mailings were being sent out. Construction progress charts for each phase were reviewed.

Council Member Araskog asked how COVID had affected communications, and suggested using Zoom for communication between neighbors. Mr. Stern described communication issues. Council Member Araskog asked that workers wear masks when citizens were passing nearby, and Mr. Stern indicated he would get that message

to the workers. Council Member Araskog asked Town Attorney Randolph for an estimate of how long the lawsuit would last; Mr. Randolph responded there was no way to predict that. Council Member Araskog urged the public to cooperate to stop chicanes, explaining every meeting added to the cost of the project.

Mayor Coniglio had no questions, and commended Mr. Stern on his work with the public.

Council President Pro Tem Lindsay asked how far behind the project was; Mr. Stern estimated 7 months behind in Phase 4 South. Town Engineer Patricia Strayer advised replacement of water mains would be done next summer before the docks were finished. Council President Pro Tem Lindsay asked about acquisition of easements on South Lake Drive; Mr. Stern noted that was Phase 5 and had just started. She asked for discussion of privately owned equipment in taxpayer owned parks to be on the August agenda. Patricia Strayer commented there was a plan for Phase 5 for locating switch cabinets and transformers related to the condos so that none of that equipment would be located in Lake Park. Council President Pro Tem Lindsay felt a policy should be established.

Council Member Moore had no questions.

Council President Zeidman asked if there had been any problems with the chicane located on Laurie Lane, to which Mr. Stern responded only aesthetic complaints.

b. RESOLUTION NO. 56-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute an Easement and Use Agreement Between the Town of Palm Beach and Florida Power and Light (FPL) at 265 Palmo Way for Access, and Maintenance of FPL Equipment.

Steve Stern provided the history behind this request to move equipment 40 feet to the west.

Council Member Araskog received confirmation this was within the park and the resident was paying for it.

Town Manager Blouin indicated this did not impact the total number of boxes within the park.

Mayor Coniglio requested a schematic drawing of the whole park whenever a request like this was received.

Council Member Crampton had looked at the site and was in favor of making this concession.

Council President Pro Tem Lindsay indicated she could go along with this because it was already on Town property.

Council Member Moore was not happy but was willing to go along because it was already done.

Council President Zeidman agreed with Council President Pro Tem Lindsay.

Council Member Araskog received confirmation this box could not be seen from North Lake Way.

Motion was made by Council Member Crampton and was seconded by Council Member Moore to approve Resolution No. 56-2020. On roll call, the motion passed 4-1 with Council Member Araskog dissenting.

Note: Following a 5-minute break, the meeting reconvened at 1:28 p.m.

2. COVID-19 Update
Kirk W. Blouin, Town Manager

a. Report on COVID-19 Infections and Hospitalization

President Zeidman announced this would be on the agenda each month and a report would be provided. Fire Rescue Chief Darrell Donatto reviewed the report, stating that since the last Council Meeting things had gotten worse, and the Town continued to educate the residents on protection. The Town was staying in contact with the county and state. He anticipated this would last until January or later. He was hopeful increased use of masks and limiting public gatherings would help.

Mr. Donatto was asked to explain lab tests versus cumulative tests. He reported the state was doing a lot more testing, and that meant increased numbers of positive cases; however, the percentage of positivity numbers was more important. The percentage of each day's positive tests provided the prevalence, and the report showed that number was going up. The Institute for Health Matrix and Evaluation Report showed the number of hospital beds available in the most used hospitals. Elective surgeries were being done, which took some ICU beds. Now the prediction was that by the middle to end of September the number of available beds would be exceeded if we did not make changes.

Council Member Araskog asked about PPE equipment running out. Mr. Donatto responded that the Fire Rescue and Police departments had about half the number they had a few weeks ago, but it was monitored daily. In response to being asked why the Town was not

giving out statistics, Mr. Donatto explained that data went to the Florida Department of Health which provided statistics to the County, but the County was limited by law as to what information they could share. If someone found they were positive, they should reach out to their contacts so they could get tested and then stay in their home for 2-3 weeks.

Mayor Coniglio had no questions.

Council Member Crampton reported that the South Florida Science Center had made approximately 2000 plastic shields on 3-D printers which were given out to first responders. The Town had received 22 for the Fire Rescue Department.

Council President Pro Tem Lindsay inquired if Palm Beach County was experiencing slow test turnaround. Mr. Donatto noted turnaround was 7 to 10 days, which created significant problems, including contact tracing problems. There were not enough testing machines. Mr. Donatto commented that a lot of people were trying to get new tests out into the market, but those tests needed to be good and work. Percentage of asymptomatic cases was still unknown, so everyone needed to take personal responsibility.

Council Member Moore expressed appreciation for Mr. Donatto's efforts. Council President Zeidman noted positivity rate was 5% in May and now some days was 15%, which meant it was spreading within the community. She cautioned that the extent to which each individual could limit their activities would determine how the virus was controlled.

b. Report on Compliance and Enforcement, Relative to State, County and Town Orders (*verbal report*)

Police Chief Nicholas Caristo reported on restaurant compliance checks that there had been very few complaints issued, and the violations had been corrected on the scene. There had been 240 violations of curfew. The majority had received verbal warnings. Mask violations were few, and if the person had no mask one was supplied by the officer. Since the last council meeting there had been no violations on the beach. He reported on violations by location. He noted there was hardly anyone using the Lake Trail because it was out of season.

Council President Zeidman called for comments regarding possibly lifting the restrictions on using the Lake Trail.

Council Member Moore felt this was not the time to make a change.

Council President Pro Tem Lindsay agreed with Council Member Moore.

Council Member Crampton also agreed.

Mayor Coniglio disagreed based on the analysis from the Chief there were absolutely no complaints. She felt it could easily be changed to unlimited use now and changed back in the fall.

Council Member Araskog agreed with the Mayor.

Council President Zeidman felt the Lake Trail should be opened back up now.

Chief Caristo agreed, and if it became overcrowded or a health and safety hazard to return to the restrictions.

Discussion ensued. Town Manager Blouin summarized that the consensus was to lift all restrictions but monitor the Lake Trail and if there were unintended consequences Chief Caristo would re-institute the restrictions.

c. RESOLUTION NO. 59-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida Concurring With The Request Of The Town's Chief Of Police, To Extend The Chief's Declaration Of The Existence Of A State Of Emergency Within The Corporate Limits Of The Town To August 12, 2020, Unless Earlier Terminated By The Chief Of Police, At Which Time The Town Council Will Address The Need For Any Extension Of The Declaration Of Emergency; Providing For An Effective Date.

Town Attorney Randolph read Resolution No. 59-2020 by title only.

Motion was made by Council Member Araskog and was seconded by Council Member Moore to approve Resolution No. 59-2020. On roll call, the motion passed unanimously.

d. Special Curfew

Chief Caristo provided information on Broward County's emergency order for businesses. They had closed bars, pubs and night clubs, and strengthened facial covering requirements. The main thing to report was penalties. There would be a 24-hour closure for a violation and the business must request permission to reopen. For a second violation there was an automatic 72-hour closure. The Chief reported some restaurants in Palm Beach had a problem with the 10 p.m. curfew because it interfered with their second seating. He reported there had been a spike in COVID cases because of restaurants, and Palm Beach County was going to sign an order on a curfew for restaurants to be

closed from 11 p.m. to 5 a.m.

Council Member Moore expressed her opinion that 10 p.m. might be too early for restaurants.

Council President Pro Tem Lindsay felt two seatings was desirable and an 11 p.m. curfew would allow closing at 10:15 p.m. with the last order at 9:15 p.m. so they got a second seating and the Town would be following the County order.

Council Member Crampton noted when the 10 p.m. curfew was established the situation was a lot less serious.

Mayor Coniglio expressed her opinion that the Town should be consistent with Palm Beach County.

Council Member Araskog agreed with being consistent with the County and mentioned she had heard a couple of restaurants had large groups for dinners. She felt groups should be limited to 10 or under unless it was all one family.

Council President Zeidman commented that tables were to be 6 feet apart.

Council Member Moore agreed with the 11 p.m. curfew.

Council Member Crampton felt the curfew should remain at 10 p.m.

Council President Zeidman commented that the Council needed to understand the issues that businesses experienced, and proposed an 11 p.m. curfew so they could have two seatings with no alcohol or food after 10 p.m.

Chief Caristo felt the curfew should be 11 p.m. to be consistent with the County since the restaurants had proven they could stay in compliance.

Mayor Coniglio favored going to 11 p.m. and letting Chief Caristo monitor and get together with the Town Manager to make changes if they became necessary.

Chief Caristo was asked to clarify his position. He stated he felt the Town should stay consistent with the County because it was too confusing to enforce different jurisdictions with different times, and also everyone was in compliance. He did not think much would happen between 10 p.m. and 11 p.m. but he would focus on compliance checks if that changed.

Council President Pro Tem Lindsay said she was comfortable trying 11 p.m. but asked the Chief to go into places that served a lot of alcohol

between 10 p.m. and 10:45 p.m. If someone was drinking heavily at 10:30 p.m., they were not in compliance and should be leaving at 10:15 p.m., so the business would have time to close up by 11 p.m.

Council Member Crampton suggested instead of cleaning up in the evening that the businesses clean up in the morning and keep the 10 p.m. curfew, because the Town had done well and should stay where they were. He did not want to descend into the depths of what Palm Beach County had done.

Council Member Araskog commented she had changed her position to restaurants closing at 10 p.m. and curfew at 11 p.m. If the vote was for 11 p.m. she would like groups limited to no more than 10 and no more food or alcohol after 10 p.m.

Council President Zeidman commented the idea was not to have a bar scene. She felt there should be a little leeway in enforcement and that could be done by the officers who were going to do checks. When things got better, then some relief could be added slowly, then watch it for another 3-4 weeks.

Discussion ensued as to limiting the number in a group; however no consensus was reached.

Motion was made by Council Member Araskog and was seconded by Council Member Moore to approve the curfew hours from 11PM to 6AM until further notice and no food or alcohol service from 10PM to 6AM. On roll call, the motion passed 4-1 with Council Member Crampton dissenting.

Mayor Coniglio asked to revisit this at the August meeting. Council President Zeidman agreed, since decisions needed to be made on data as it was happening.

The meeting reconvened following a 5-minute break.

3. Town Marina Project Update

Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Boodheshwar referred to a staff memo in the backup on progress status. Construction was going really well and was slightly ahead of schedule. Community meetings were hosted monthly by Murray Logan. The next meeting would be on a virtual platform. He provided an update on the work Fairfax and Sammons had done, and a schedule and sequence of events that needed to happen which had been provided in the backup. Fairfax and Sammons would provide their preliminary conceptual plans at the August 11 meeting. They would contact Town Council members before then to get their feedback. At the August 19 meeting of the Landmarks Preservation

Commission it was expected to get their initial feedback on the concepts the Town Council would have approved on August 11, and also to provide public input. In September, the Town Council would hear final recommendations from the consultants, and ask for final Certificate of Appropriateness from the Landmarks Preservation Commission. Also at the September meeting, there would be handoff from the design consultant to their sub-consultant to take the conceptual plan approved by Town Council into 30% construction drawings for Landmarks Preservation Commission review on October 21. In November, Site Plan Review and Special Exception would be presented to Town Council.

Council Member Araskog suggested streamlining the process so that the Town Council could give the final approval in October instead of November.

Director of Public Works H. Paul Brazil responded that if possible, that would be done, but at this point the scope of the work was unknown.

Council Member Araskog asked to give notice, which could be deferred if the accelerated schedule could not be met.

Mayor Coniglio indicated that she was disappointed because this would have a cost and impact on the timeline.

Deputy Town Manager Boodheshwar responded that their goal was not to have a schedule impact and to make sure the marina opened on time as scheduled.

Mayor Coniglio asked for assurance that the Fairfax and Sammons review was specific to Town Council direction and did not include buildings or parts of the concept already approved by Town Council. Deputy Town Manager Boodheshwar responded that the scope of work would not include the building but would give leeway for the consultants to use their creativity for the park.

Purchasing Manager Dean Mealy confirmed for Mayor Coniglio that the scope was limited to provide peer review and design consulting work to uplands park, limited to an amount not to exceed \$34,000.00.

Council Member Crampton felt Fairfax and Sammons would not come up with a design that was as costly as some of the original options the Town Council had been prepared to choose. He commented the process would proceed as planned, and this was just adding some qualitative improvements that would cost less than the Town Council had been prepared to spend at the beginning.

Council President Pro Tem Lindsay agreed with Council Member Araskog that the Town should do whatever possible to speed up the process, however, the end result should be the very best since this should be one of the most iconic and significant things this Council did as elected officials. She asked to see all ideas created by the consultants.

Council Member Moore expressed concern the \$3 million budgeted might turn into \$10 million, which the Town could not afford.

Mr. Brazil cautioned he could not commit to a fixed schedule until he knew the scope of work. He recommended first getting the scope, then deciding the timeline.

Mr. Boodheshwar suggested if Fairfax and Sammons was ready to present their concept at the August meeting, to use that meeting as the public input session to eliminate a month. He also asked for staff discretion to give input on operational impacts to help avoid any major utility issues.

Council Member Araskog suggested a special meeting in July for informal review by Town Council.

Mayor Coniglio wanted to depend on Mr. Brazil's and Mr. Boodheshwar's expertise to move this along and did not care about a special meeting.

Council Member Crampton agreed with the Mayor and stated the most important thing was to stick to the schedule for the docks and add all the quality points along the way. He felt if an extra year was needed to complete all the amenities that was okay, and the docks process was primary in terms of timing.

Council President Pro Tem Lindsay stated this was a Council initiated program and she wanted to see the process and be involved. She trusted staff to apprise Town Council on what was happening, even if it was an idea that wasn't going to work.

Council Member Moore wanted to make sure everyone had a chance to meet individually with Fairfax and Sammons.

Council President Zeidman summarized the Town Council felt it needed to see all drawings Fairfax and Sammons was going to present to them. She asked Mr. Boodheshwar to decide after his meeting today with Fairfax and Sammons if a special meeting was needed.

Mr. Boodheshwar clarified Fairfax and Sammons would present plans to staff and staff would bring those plans to Town Council so they could decide the direction.

Council Member Crampton asked Mr. Boodheshwar to use his judgement based on dealing with previous similar issues and give Fairfax and Sammons the feedback they needed to give the Town the best product possible.

Council President Zeidman clarified Mr. Boodheshwar and Mr. Brazil should use their professional judgment with an eye toward the Council's wishes.

Mayor Coniglio asked Mr. Boodheshwar to be very careful that staff did not make decisions for Fairfax and Sammons; the same rules must be followed as for every other landmark property.

Council President Pro Tem Lindsay wanted to ensure that Town Council members meet individually with Fairfax and Sammons before August 11.

Mr. Boodheshwar confirmed with Council President Zeidman that they would go to Landmarks Preservation Commission for all the reasons articulated in the memo.

Council Member Araskog asked about trees being removed for marina work. Mr. Boodheshwar indicated they had to be removed temporarily but would be replaced. Council Member Araskog asked Town Attorney Randolph about approving a site plan before ARCOM review. Attorney Randolph indicated he would provide his opinion at a later date.

B. Matters Pulled From Consent Agenda: If needed

1. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of June 24, 2020

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to approve the major matters considered by the Architectural Review Commission at its meeting of June 24, 2020. On roll call the motion passed unanimously.

XIV. ANY OTHER MATTERS

1. Consideration of ORS Committee To Study Noise Ordinance

Council Member Araskog reported many phone calls from people being disturbed by music between 10 p.m. and 5:30 a.m. She wanted ORS to look at this to see what other towns did.

Mayor Coniglio recommended leaving the ordinance the way it was since the decibel settings were already very restrictive and if someone was bothered they could call the police.

Council Member Araskog felt small changes should be made to the decibel levels and look at not being able to move a case forward unless three people complained.

Town Manager Blouin advised there was ambient noise at all times which contributed to the decibel level, so one should be very careful about setting specific numbers. Also, the Town Attorney would need to weigh in on potential changes as they could be challenged in court, but he saw no harm having ORS look at it.

Discussion continued. President Zeidman asked for consensus. Mayor Coniglio felt this was not a high priority to add to the burden staff was already dealing with. Council Member Araskog indicated she was fine delaying this. Council Member Crampton agreed with the Mayor. Council President Pro

Tem Lindsay felt it could be revisited in November, and Council Member Moore agreed.

2. Consideration of Truck Study To Be Presented at the August 11, 2020 Town Council Meeting

Council President Pro Tem Lindsay reported she had brought this matter up because it had been such a long process. Mr. Brazil explained he had not yet reviewed the report provided to Town Council because he had been ill.

Discussion ensued regarding the process, concluding that it should go to Public Works for engineering determination before being presented at any meeting and if their recommendation required rules and standards it should go to ORS.

Town Manager Blouin asked for more time to work with staff on this regarding a policy the town would wish to adopt.

3. Consideration of Forming Ad Hoc Committee Re: COVID-19

Council President Zeidman suggested an ad hoc committee to share information about COVID which would include people from different professions, such as restaurants, hospitality and doctors, with some in an advisory capacity. She asked the Town Council to think about this and she would make a list of people she had thought about. She felt someone from a restaurant could tell what it was like to run a restaurant and a hotel owner could tell about problems they were having. She thought the Council needed to know their concerns were and that a forum was needed to communicate what was actually happening and hear ideas and issues. This committee might only meet every 2-3 months but it would be community outreach to discuss various issues facing different segments of the community. She reported Darrell Donatto had some ideas and he would be on the committee.

Council President Pro Tem Lindsay was in favor of including the business community.

Council President Zeidman commented organizations were concerned about future planning of events and could use some direction.

Council Member Araskog asked if this might work like a business workshop. Council President Zeidman responded she was thinking of a smaller group. Council Member Araskog felt communication had been handled well to this point, and expressed her opinion it would be better to have another stakeholders meeting.

Mayor Coniglio was concerned about limiting comments and an open forum like the stakeholders meeting might be better. She also was concerned how the members would be chosen.

Council President Zeidman commented she was not looking for a public forum.

Town Attorney Randolph advised a council member could be on the committee, but it must be a public meeting with the public allowed to comment. Council President Zeidman responded that was not the way she had envisioned it, so it might be better to have a public forum in the fall when people came back in November.

Council Member Moore asked to think about the timing of the public meeting because schools would be in session. Town Manager Blouin commented there would be a delay in opening public schools, but some private schools would be open. The Mayor agreed with Council Member Moore and thought a stakeholders meeting could be started now because that information could be valuable in August when the Town Council began looking at policy decisions for COVID the next month.

Council President Zeidman indicated she would talk with the Town Manager about when that could happen. She thanked staff for their work setting up this meeting.

XV. ADJOURNMENT

There being no further business to discuss, the Town Council Meeting of July 14, 2020, was adjourned at 5:05 p.m.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk

Date



TOWN OF PALM BEACH

Minutes of the Development Review

Town Council Meeting

Held on July 15, 2020

I. CALL TO ORDER AND ROLL CALL

The Development Review Town Council Meeting was called to order July 15, 2020 at 9:30 a.m. virtually via Zoom Webinar. On roll call, all of the elected officials were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Administrative Specialist Churney gave the invocation. Council President Zeidman led the Pledge of Allegiance.

III. COMMENTS OF MAYOR GAIL L. CONIGLIO

The Mayor had questions and concerns related to the tax abatement approval for 130 Barton Avenue, noting the extensive ongoing work that has been occurring.

Town Attorney Randolph advised the Mayor to allow staff to investigate this outside of the meeting.

IV. COMMENTS OF TOWN COUNCIL MEMBERS

Council Member Araskog stated she was thankful for the generosity of the community. She implored people to give, as many people were relying on food banks in this time.

There were no other comments heard from the Town Council Members.

V. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

Council Member Araskog expressed concern that Mr. Silvin might be providing a Chairman's report, which had not indicated on the agenda. Town Attorney Randolph advised Mr. Silvin was allowed to speak as a citizen.

Rene Silvin, 44 Australian Avenue, expressed appreciation for the COVID report. He was thankful that the Town Council allowed the virtual meetings and thought they were successful. He also spoke about the Landmarks Preservation Commissioners' discussions at the beginning of each meeting to increase efficiency. He reported they were working to provide full transparency, including the listing of staff approvals at the end of the meeting.

VI. APPROVAL OF AGENDA

The following modifications were made to the agenda:

Deferral of Item VII.A.1 (a) to the November 20, 2020 meeting.

Deferral of Item VII.A.1 (b) to the August 12, 2020 meeting.

Deferral of Item VII.B.2 (f) to the August 12, 2020 meeting.

Motion was made by Council Member Moore, and seconded by Council Member Crampton, to approve the agenda as amended. Motion carried unanimously, 5-0.

VII. DEVELOPMENT REVIEW

A. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. **Z-19-00232 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: C-WA Worth Avenue The application of 125 Worth Partners, LLC, Applicant, relative to property located at **125 WORTH AVE**, legal description on file, is described below. The applicant requests Site Plan Review modification approval for revitalization, renovation and expansion of the 45 year-old nonconforming commercial building located at 125 Worth Avenue in the C-WA zoning district. The building will be completely renovated architecturally using design themes found in the Worth Avenue Design Guidelines. In addition, a two story addition is being proposed on the east end of the property. To make this project financially feasible, the owners are requesting to demolish and rebuild the existing fourth story and expand its footprint to add four residential units. In addition to the Site Plan Review proposed modifications, the applicant is requesting the following Special Exceptions and Variances required to complete the project: 1. Per Section 134-1163(8)b., a special exception for a two-story and fourth story addition. The existing building is four stories but it is being expanded. 2. Per Section 134-2182(b), a special exception for on-site shared parking, subject to a professional shared parking analysis. 3. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the height from 53' in lieu of the 49'2" existing and the 25' maximum allowed by code. 4. Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the overall building height to 63'4" in lieu of the 53'8" existing and the 35' maximum allowed by current code. 5. Per Section 134-419, variance to allow an expansion of an existing nonconforming building by increasing the existing air conditioned floor area of the fourth story to 13,212.9 square feet from 3,448.75 square feet existing. An open fourth story trellis of 5,433 square feet is also proposed in this application and included in the calculation of lot coverage, below. There is an existing exterior fourth floor covered area of approximately 3,290 Square feet in addition to the existing air conditioned floor area on the fourth story of the building. 6. Per Section 134-1163(5), variance to allow a minimum front yard setback of 1'1" for

portions of the building in lieu of the 5' existing and the 5' minimum required on the private property. The sidewalk is required to be a minimum of 10' wide and this proposal is a minimum of 8'2" in the area where the sidewalk is only 1'1" wide on private property. 7. Per Section 134-1163(9)b., variance for lot coverage of 71% on the first floor in lieu of the 57% existing and the 35% maximum allowable. 8. Per Section 134-1163(9)b., variance for lot coverage of 71% on the second floor in lieu of the 57% existing and the 35% maximum allowed for second story. 9. Per Section 134-1163(9)b., variance for lot coverage of 54% on the fourth floor in lieu of the 20% existing and the 35% maximum allowable by code. 10. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the existing building length at the east end of the building from 201'8" to 246' in lieu of the 150' permitted as of right in the C-WA zoning district. [Applicant's Representative: James M. Crowley Esq] Request for Deferral to August 12, 2020 Meeting per Email Dated July 1, 2020 from James M. Crowley.

This project was deferred to the November 20, 2020 meeting at approval of the agenda.

- b. **Z-19-00236 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of Jennifer J. Naegele, Applicant, relative to property located at **70 MIDDLE RD**, legal description on file, is described below. The applicant is undertaking a renovation of a 3 story landmarked residence located in the R-B Zoning District. The renovation includes a 91 square foot laundry room addition to the northwest corner of the house; a 191 square foot covered terrace addition on the north side of the house; and a 60 KW generator proposed in the street side yard along Via Marina. The following variances are being requested: 1) Sec. 134-1729: a variance to allow a 60 KW generator to be placed in the street side yard along Via Marina with a setback of 8.5 feet in lieu of the 25 foot minimum required. 2) Sec. 134-893(11): a variance for lot coverage for the laundry room addition of 34.47% in lieu of the 33.07% existing and the 30% maximum allowed. 3) Sec. 134-893(13): a variance for a cubic content ratio ("CCR") for the laundry room and covered terrace of 8.85 in lieu of the 8.32 existing and the 3.95 maximum allowed. 4) Sec. 134-893(7): a variance for a north side yard setback of 7.6 feet in lieu of the 12.5 feet minimum required for the laundry room addition. 5) Sec. 134- 893(7): a variance to convert the existing flat roof to a covered balcony with railing that will have a north side yard setback of 7.6 feet in lieu of the 15 foot minimum required. [Applicant's Representative: Maura Ziska Esq] [Landmarks Preservation Foundation Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property. Carried 7-0. The Landmarks Preservation Commission approved the project as presented with the condition that the homeowner voluntarily grants the utility easement. Carried 7-0]

This project was deferred to the August 12, 2020 meeting at approval of the agenda.

- c. **Z-20-00247 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: C-WA Worth Avenue The application of Le Bilboquet (Philippe Delgrange, Principal), Applicant, relative to property located at **247 WORTH AVE SUITE: A**, legal description on file, is described below. 1) Sec. 134-1159 (a) (6), Sec. 134-329 and Sec. 134-229: A request to modify the previously approved Special Exception with Site Plan Review to add 51 additional seats to the previously approved 109 seat, 3,590 square foot restaurant ("Le Bilboquet") on both the 1st and 2nd floor in the rear of the via located at 247 Worth Avenue (160 total proposed seats). In addition, to add 594.5 square feet on the back of the building to house a cooler/storage area and elevator and two retractable awnings totaling 512 square feet over the via. There are also two existing permanent awnings that will be replaced with three awnings of the same approximate size. There is also an existing awning on Worth Avenue that will be replaced with an awning of the same approximate size. There will be new mechanical equipment located on the roof that will be screened. Additionally, the restaurant plans to have background music in the via. 2) Sec. 134- 1159 (a) (6), Sec. 134-2176 and Sec. 134-2001: A request for Special Exception with Site Plan Review modification to allow 58 seats to be outside in the via in lieu of the 48 seats previously approved. 3) Sec. 134-1161 (a): A variance to have 58 outdoor seats over the inside capacity. The Code does not allow outdoor seating above the indoor capacity of the tenant space. 4) Sec. 134-1163 (7): A variance request to have a rear yard setback of 5.5 feet for the elevator and 2.5 feet for the cooler/storage building in lieu of the 10 foot minimum required in the CWA Zoning District. 5) Sec. 134-1163(9): A variance request to allow a lot coverage for the elevator, cooler/storage building and retractable awnings of 84.6% in lieu of the 72.4% existing and the 35 % maximum allowed in the C-WA Zoning District for a two story building. 6) Sec. 134-1163(11): A request for a landscaped open space to be 3.5 % in lieu of the 4% existing and the 25 % minimum required in the C-WA Zoning District for a two story building. 7) Sec. 134-2175, Sec. 134-329 and Sec. 134-229: A request for a variance to provide zero (0) on-site parking spaces in lieu of the required 24 parking spaces that would be required under the principle of equivalency for the additional 51 seats being requested and the new elevator and 494 square foot cooler/storage building that is being added. A variance was previously approved to eliminate the requirement of 29 parking spaces. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 4-3.] [The Architectural Review Commission approved the project with a condition relating to architecture. Carried 6-1.]

At this time, Administrative Specialist Churney swore in Paul Castro, Wayne Bergman, Maura Ziska, Nelo Freijomel, Keith Spina and Jane Holzer.

Ex-parte communication was disclosed by Council Members Araskog, Crampton, Moore, Council President Pro Tem Lindsay, Council President Zeidman and Mayor Coniglio.

Maura Ziska, Attorney for the applicant, presented the application.

Zoning Manager Castro provided staff comments.

Council Member Araskog inquired about the nano door and asked Mr. Castro to explain his concerns. Mr. Castro responded. Council Member Araskog asked if the nano door needed to be reviewed by ARCOM. Ms. Ziska and Nelo Freijomel, Spina O'Rourke, explained the nano doors and stated that they were approved by ARCOM. Council Member Araskog inquired if the proposed dumpster was appropriate for the size of the restaurant. Mr. Castro responded. Mr. Freijomel explained the public works equipment in the rear of the property.

Mayor Coniglio expressed concern for the impact of 24 additional seats on Worth Avenue and the neighborhood, and the increase and intensity of use on the rear of the project. She was also concerned with the lack of hardship, and confirmed with Town Attorney Randolph that economics was not an acceptable hardship.

Council Member Crampton inquired whether ARCOM had addressed the substantial issues raised as a result of the staff approvals from the previous director. Mr. Castro responded.

Council President Pro Tem Lindsay inquired about the parking variance and whether the letter sent to the Town addressed the concerns of staff. Mr. Castro responded a special exception would be needed as well as a lease or document showing the 24 parking spaces were available to the applicant.

Acting Director of Planning, Zoning and Building Wayne Bergman indicated he would be comfortable with a lease.

Jane Holzer commented no one else had ever been required to show a lease.

Council President Zeidman inquired about the notice that the neighbors had received. Ms. Ziska and Mr. Castro responded. Council President Zeidman asked about the Development Review Committee comments and whether the committee had reviewed the new plans. Mr. Castro

responded.

Council Member Araskog inquired as to who would pay the valet, the cross access agreement for the grease traps and trash receptacles and the outdoor elevator. Mr. Castro responded. She inquired about the fire suppression system. Fire Marshal Martin DeLoach responded.

Council Member Crampton liked the project but thought the project had two weaknesses, which were the parking spaces in the Apollo parking lot and that he believed the project needed further review by staff. Ms. Ziska weighed in on Council Member Crampton's concerns.

Jane Holzer, applicant, discussed the availability of the parking lot.

Council President Pro Tem Lindsay liked the project and stated she was not against the increase of the seating request. She expressed concern for access to remove the trash and clean the grease trap. Mr. Castro stated that staff's request would be a cross access agreement as well as a lease for the 24 parking spaces.

Mayor Coniglio inquired about the hardship. Ms. Ziska responded.

Council President Zeidman expressed her opinion was there were two things needed to move forward; a lease agreement for the parking spaces and the cross access agreement.

Council Member Araskog believed that the nano doors needed to go back to ARCOM. She also questioned the hardship provided by the applicant. She had a problem with the addition of seats to obtain a liquor license. She stated that she could not support the project.

Mayor Coniglio did not believe there was a hardship. She expressed concern about the nano doors and thought ARCOM should see them again. She had concerns about the liquor license, the grease trap, deliveries for the building, and the parking spaces.

Council Member Moore expressed concern for the increase in seating and stated she would struggle to approve this project.

Ms. Ziska stated that the coolers were needed with the approval and they would provide a cross access agreement for the cleaning of the grease trap. She added that she would remove the request for the additional seats.

Council President Pro Tem Lindsay thought with the removal of the additional seats, most of the issues had been removed.

Mayor Coniglio was uncomfortable because of the change in location for the coolers and the elevator.

Council President Zeidman felt the removal of the elevator request would indicate they were planning to come back and Council would have to deal with this again.

Council Member Araskog thought the approval should be the original seats as well as removal of the elevator.

Council President Pro Tem Lindsay felt this should be moved forward.

Discussion ensued regarding what should be included in the motion.

There were no public comments.

Motion by Council Member Araskog and seconded by Council Member Moore that Special Exception Z-20-00247 shall be granted based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met, and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground utilities in the area, and subject to the conditions that have been agreed upon including seating limited to 109 seats (up to 58 seats outdoors), an elevator, new cooler, and a cross access agreement is obtained for deliveries, garbage and grease removal. Motion carried unanimously, 5-0.

Motion was made by Council Member Araskog and seconded by Council Member Moore that Site Plan Z-20-00247 be approved based upon the finding that the approval of the Site Plan will not adversely affect the public interest; that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement have been met concerning Section 134-329 items 1 through 11. Motion carried unanimously, 5-0.

Motion was made by Council Member Moore and seconded by Council Member Araskog that Variance Z-20-00-247 shall be granted and find in support thereof that all the criteria applicable to this application as set forth in Section 134-201(a) Items 1 through 7 have been met, however there is a condition that the requested variance for parking is not approved; and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground utilities in the area. Motion carried unanimously, 5-0.

Clerk's Note: A short break was taken at 11:47 a.m. The meeting resumed at 11:55 a.m.

2. New Business

- a. **Z-20-00257 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of ILLKM PB LLC (Jeffrey Weiner, Member), Applicant, relative to property located at **655 ISLAND DR**, legal description on file, is described below. A request to allow the demolition of the existing wooden marginal dock and replacement with a new marginal dock and construct a new boat lift and Jet ski lift which will require the following variances: 1) The new boat which will be 21.83 feet west of the U.S. Pier head line in lieu of the 6 foot maximum allowed. 2) The new Jet Ski lift which will be 17.83 feet west of the U.S. Pier head line in lieu of the 6 foot maximum allowed. [Applicant's Representative: Maura Ziska Esq]

At this time, Administrative Specialist Churney swore in Keith Williams.

Ex-parte communication was disclosed by Council Members Araskog, Crampton, Moore, Council President Pro Tem Lindsay and Council President Zeidman.

Maura Ziska, Attorney for the applicant, explained the variance requests and presented the project.

Zoning Manager Castro provided staff comments.

Council Araskog inquired about the reason the yard was being extended. Ms. Ziska responded.

Keith Williams, Nievera Williams Design, further explained the landscape plan.

Mayor Coniglio asked Mr. Castro for clarification on the design of the dock. Mr. Castro responded. The Mayor had no problems with this application.

Council Member Crampton confirmed with Ms. Ziska this was on the west side of the island.

Council President Pro Tem Lindsay stated she had no problems with this application.

Council Member Moore stated she had no problems with this application.

There were no comments from the public.

Motion made by Council Member Moore and seconded by Council Member Araskog that Variance Z-20-00-257 shall be granted and find in support thereof that all the criteria applicable to this application as set forth in Section 134-201(a) Items 1 through 7 have been met. Motion

carried unanimously, 5-0.

- b. **Z-20-00258 VARIANCE(S)** Zoning District: R-A Estate Residential
The application of Maura Ziska, Trustee of the 1047 South Ocean Boulevard Trust, Applicant, relative to property located at **1047 S OCEAN BLVD**, legal description on file, is described below. Section 134-843(11): Applicant Is proposing to remove two (2) existing cantilevered balconies on the back of the residence totaling 102 square feet and replacing them with one (1) larger cantilevered 404 square foot balcony that connects to an existing second story roof deck which will require a variance for lot coverage of 43.92% in lieu of the 41.69% existing and the 25% maximum allowed In the R-A Zoning District. [Applicant's Representative: Maura Ziska Esq] [The Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property. Carried 7-0.] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]

At this time, Administrative Specialist Churney swore in Peter Papadopoulos.

Ex-parte disclosure was made by Council Members Araskog, Crampton, Moore, Council President Pro Tem Lindsay and Council President Zeidman.

Maura Ziska, Attorney for the applicant, explained the variance requests.

Peter Papadopoulos, Smith and Moore Architects, presented the architectural plans for the project.

Zoning Manager Castro provided staff comments in support of the project.

All of the council members were in support of the project.

President Zeidman called for public comments. Mr. Falco confirmed there were no public comments.

Motion made by Council Member Crampton and seconded by Council President Pro Tem Lindsay that Variances Z-20-00-258 shall be granted and find in support thereof that all the criteria applicable to this application as set forth in Section 134-201(a) Items 1 through 7 have been met; and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground

utilities in the area. Motion carried unanimously, 5-0.

- c. **Z-20-00259 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of Julia Koch, Applicant, relative to property located at **150 S OCEAN BLVD**, legal description on file, is described below. Section 134-993(13): The owner is proposing a renovation that will increase the ceiling height in a 2nd story bedroom comprising of 1,010 square feet by approximately 1.3 feet. This will require a variance to be requested to increase the cubic content ratio to 4.70 in lieu of the 4.68 existing CCR and the 3.68 maximum allowed. [Applicant's Representative: Maura Ziska Esq] [The Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property. Carried 7-0.] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]

At this time, Administrative Specialist Churney swore in Tom Kirchhoff.

Ex-parte disclosure was made by Council Members Araskog, Crampton, Moore, Council President Pro Tem Lindsay and Council President Zeidman.

Maura Ziska, Attorney for the applicant, explained the variance requests.

Tom Kirchhoff, Kirchhoff & Associates Architects, presented the architectural plans for the project.

Zoning Manager Castro provided staff comments, expressing support.

Council Member Araskog inquired about the existing and proposed heights. Mr. Kirchhoff responded.

President Zeidman called for public comments. Mr. Falco confirmed there were no public comments.

Motion made by Council Member Moore and seconded by Council President Pro Tem Lindsay that Variances Z-20-00-259 shall be granted and find in support thereof that all the criteria applicable to this application as set forth in Section 134-201(a) Items 1 through 7 have been met; and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground utilities in the area. Motion carried unanimously, 5-0.

- d. **Z-20-00260 SPECIAL EXCEPTION WITH SITE PLAN REVIEW WITH VARIANCE(S)** Zoning District: R-B Low Density Residential The application of Matthew and Anne Iorio, Applicant, relative to property located at **131 SEAVIEW AVE**, legal description on file, is described below. Section 134-8939(c): Special Exception with Site Plan Review to allow the renovation of an existing two story residence and swimming pool by demolishing more than 50% cubic footage on portions of platted lots with a depth of 97.12 feet in lieu of the 100 foot minimum required in the R-B Zoning District and an area of 9,712 in lieu of the 10,000 square foot minimum required in the R-B Zoning District. The request is to demolish a 1 story/237 square foot exercise room in the rear of the house; a 1 story/720 square foot Florida room in the rear of the house; and add a 386 square foot two story family room (first floor) and bedroom (second floor); and a 292 square foot loggia. The following variances are being requested: 1) Section 134-893(b)(5): a front yard setback of 24.9 feet in lieu of the 30 foot minimum setback required; 2) Section 134-893(b)(7): a west side yard setback of 4.9 feet in lieu of the 4.9 feet existing and the 15 foot minimum setback required; 3) Section 134-893(b)(11): a lot coverage of 31.3% in lieu of the 30% maximum allowed; 4) Section 134-893(b)(13): a cubic content ratio of 6.90 in lieu of the 6.99 existing and the 4.03 maximum allowed; 5) Section 134-893(b)(12): a landscape open space of 33% in lieu of the 45% minimum required; 6) Section 134-1757: an east side yard setback for the swimming pool of 6 feet in lieu of the 10 foot minimum required. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 7-0.] [The Architectural Review Commission approved the project with a condition relating to landscape. Carried 7-0.]

Ex-parte disclosure was made by Council Members Araskog, Crampton, Moore and Council President Pro Tem Lindsay.

Maura Ziska, Attorney for the applicant, explained the zoning requests.

Tom Kirchhoff, Kirchhoff & Associates Architects, presented the architectural plans for the project.

Keith Williams, Nievera Williams Design, presented the landscape and hardscape plans for the project.

Zoning Manager Castro provided staff comments.

Council Member Araskog inquired what Mr. Williams could plant that would address the neighbor's concerns. Mr. Williams responded. Ms. Ziska stated that a caveat could be added to the approval that the hedge would be maintained at a certain height. Council Member Araskog thanked the applicant for adding green space.

Council President Zeidman called for public comments.

Steven Greenwald, 128 Seaspray Avenue, expressed concern for the proposed landscape that bordered his property.

Martha Greenwald, 128 Seaspray Avenue, expressed concern for the proposed landscape that bordered her property.

Anne Iorio, owner of the property, explained that she did not have any control of the previous owner's landscape, but she was a responsible owner and would be maintaining her landscaping.

Council Member Crampton suggested that the neighbors work out an agreement for the landscape between them. He was in favor of the project and thought it should move forward.

President Pro Tem Lindsay agreed with Council Member Crampton.

Council Member Araskog proposed to approve everything with the exception of the area of landscape that was in question.

Motion made by Council Member Araskog and seconded by Council Member Crampton that Special Exception Z-20-00260 shall be granted based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met, with the exception of the plantings on the north side, which the professionals will meet to find a mutually acceptable plant solution; and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground utilities in the area. Motion carried unanimously, 5-0.

Motion was made by Council Member Araskog, and seconded by Council President Pro Tem Lindsay that Site Plan Z-20-00260 be approved based upon the finding that the approval of the Site Plan will not adversely affect the public interest; that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement have been met concerning Section 134-329 items 1 through 11, and with the condition they come return to the Town Council with a mutually acceptable plant solution for the north side plantings. On roll call, the motion carried unanimously, 5-0.

Motion made by Council Member Araskog moved and Council President Pro Tem Lindsay seconded, that Variance Z-20-00-260 shall be granted and find in support thereof that all the criteria applicable to this application as set forth in Section 134-201(a) Items 1 through 7 have been met. Motion carried unanimously 5-0.

Motions amended by Council Member Araskog and seconded by Council President Pro Tem Lindsay that the motions for the Variance, Special Exception and Site Plan for Z-20-00-260 shall be amended and deferred to August 12, 2020 for the north side plantings. Motion carried unanimously, 5-0.

Clerk's Note: A short break was taken at 1:22 pm. The meeting reconvened at 1:36 p.m.

- e. **Z-20-00261 VARIANCE(S)** Zoning District: R-A Estate Residential
The application of Ann DesRuisseaux, Applicant, relative to property located at **800 S COUNTY RD**, legal description on file, is described below. The applicant is undertaking a renovation of a 2 story landmarked residence with accessory buildings and a boat house all located in the R-A Zoning District. The renovation includes raising the finished floor elevations of all of the structures to 9.0 feet NAVD. The renovation also includes a 10,590 square foot 2-story addition to the main residence; a 796 square foot addition to the boat house located at the NW corner of the property; demolition of the tennis pavilion by more than 50% of the cubic footage on the east side of the property and 200 square foot addition to the tennis pavilion; relocation of an existing 225 square foot cabana to be attached to the main residence; relocation of the 145 square foot 2-story generator building. The following variances are being requested: 1) 134-843(8): a north side yard setback of 5 feet for the boat house addition in lieu of the 30 foot minimum required; 2) 134- 843(8): a north side yard setback ranging from 1.1 feet to 5.5 feet in lieu of the 30 foot minimum required for the existing boat house when raising the finished floor thus increasing the height in the setback; 3) 134-843(8): a rear yard setback of 0 feet in lieu of the 15 foot minimum required for the existing boat house when raising the finished floor thus increasing the height in the setback; 4) 134-843(8): a rear yard setback ranging from 0 feet to 13.4 feet in lieu of the 15 foot minimum required for the existing main house when raising the finished floor thus increasing the height in the setback; 5) 134-843(9): a rear yard setback of 12.58 feet in lieu of the 15 foot minimum required for the existing boat house when raising the finished floor thus increasing the height in the setback; 6) 134-843(8): a north side yard setback of 14.5 feet for the 2- story generator building in lieu of the 30 foot minimum required; 7) 134-843(8): a south side yard setback ranging from 9 feet to 15.5 feet in lieu of the 30 foot minimum required for the new cabana and main house addition; 8) 134-843(10): a height in the main residence and addition to main house of 26.5 in lieu of the 25 foot maximum allowed; 9) 134-843(5): a front yard setback ranging from 6.3 feet to 22.83 in lieu of the 35 foot minimum required for the tennis pavilion; 10) 134-843(5): a front yard setback of 6.3 feet in lieu of the 35 foot minimum required for the existing tennis pavilion when raising the finished floor thus increasing the height in the setback; 11) 134-843(12): a landscaped open space of 43.24% in lieu of the 71.56% existing and the 50% minimum required; 12) 134-843(6): an angle of vision and building height plane for tennis pavilion to be 144

degrees in lieu of the 120 degrees maximum allowed; and 13) 134-843(7): a building height plane setback of 6.3 feet in lieu of the 20.2 foot minimum required; and 14) 134-1759(c): a variance to not have a 10 foot high fence around the perimeter of the tennis court. [Applicant's Representative: Maura Ziska Esq] [The Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject landmarked property. Carried 7- 0.] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]

At this time, Administrative Specialist Churney swore in Rafael Portuondo, Che Wei Kuo and Ann DesRuisseaux.

Ex-parte was disclosed by Council Members Araskog, Crampton, Moore, Council President Pro Tem Lindsay and Council President Zeidman.

Maura Ziska, Attorney for the applicant, explained the variance requests.

Rafael Portuondo, Portuondo Perotti Architects, presented the architectural plans for the project.

Ann DesRuisseaux, owner, also provided comments related to the architecture and zoning requests.

Zoning Manager Castro provided staff comments.

All of the council members were in support of the project.

President Pro Tem Lindsay inquired about the landmark status of the tennis pavilion. Ms. Ziska responded.

Council Member Araskog asked for clarification on some of the requests. Mr. Castro responded. Council Member Araskog expressed concern for the reduction of green space and asked if any changes could be made to increase the green space.

President Zeidman called for public comments. Bradley Falco confirmed there were no public comments.

Motion made by Council Member Crampton and seconded by Council Member Moore that Variances Z-20-00-21 shall be granted and find in support thereof that all the criteria applicable to this application as set forth in Section 134-201(a) Items 1 through 7 have been met; and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground utilities in the area. Motion carried unanimously, 5-0.

- e. **Z-20-000262 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: R-D(2) High Density Residential The application of The Ambassador Hotel Cooperative Apartments Corp., A Florida Corporation (Richard Schlesinger, President), Applicant, relative to property located at **2730 S OCEAN BLVD**, legal description on file, is described below. The following zoning relief is being requested: 1. Section 134-1055 (16.): Special Exception approval to modify the existing condo-hotel use in the R-D (2) Zoning District. 2. Section 134- 327: Site plan approval for the modifications to the existing condo-hotel site as identified above. 3. Section 134-1064: Special exception approval for the new balconies on the third, fourth and fifth floors. 4. Section 134-1060 (6)(f): Variance request for the proposed redevelopment to include the addition of balconies on the south side of the building that will encroach into the south side yard setback by a 30 inches thus a variance request for a setback of 27.5 feet in lieu of the 30 foot minimum required. 5. Section 134-2172: Variance to allow the proposed off-street, valet-operated parking, to be tandem and stacked in lieu of the code required off-street parking standards related to size of spaces and access. The code requires parking spaces to be designed so that a vehicle can be removed without the necessity to move another vehicle. The proposed parking is modifying and adding parking areas designed with stacked (tandem) and lift parking. 6. Section 134-1064: Variance to allow the lot coverage to be 44.9% in lieu of the 23.7% existing and the 22% maximum allowed in the R-D (2) Zoning District for 5 story buildings (the building is 7 stories with a lower level floor area). 7. Section 134-1060(6): Variance to allow a north side yard setback of 15 feet in lieu of the 30 foot minimum required for the under dune garage. 8. Section 134-1064(b)(3): Variance to allow a height of 68.96 feet in lieu of the 62.5 maximum allowed for the Penthouse additions (7th floor). [Applicant's Representative: Maura Ziska Esq] Request for Deferral to August 12, 2020 Meeting per Email Dated June 19, 2020 from Maura Ziska.

This project was deferred to the August 12, 2020 meeting at approval of the agenda.

- f. **Z-20-00263 SPECIAL EXCEPTION** Zoning District: C-TS Town-Serving Commercial The application of The Breakers Palm Beach, Inc., Applicant, relative to property located at **229 ROYAL POINCIANA WAY**, legal description on file, is described below. Pursuant to Section 134-2373(13) of the Town Code, the applicant is requesting special exception approval to allow an internally illuminated, backlit business identification sign for Henry's Palm Beach, which is located at Via Flagler (221 Royal Poinciana Way is the overall project address) on the front of the restaurant facing Royal Poinciana Way (229 Royal Poinciana Way) in the C-TS zoning district. The illuminated sign was approved by ARCOM on January 29, 2020 in connection with

ARCOM's review of application number A-31-2019, which is the master signage program for Via Flagler. Other than the special exception for an illuminated sign, no other special exceptions or variances are requested or required. [Applicant's Representative: James M. Crowley Esq]

At this time, Administrative Specialist Churney swore in James M. Crowley.

Ex-parte communication was disclosed by Council Members Araskog, Moore, Council President Pro Tem Lindsay and Council President Zeidman.

Jamie Crowley, Attorney for the applicant, explained the special exception request.

Zoning Manager Castro provided staff comments.

Council Member Araskog clarified how the signage was electrified.

President Zeidman called for public comments. Mr. Falco confirmed there were no public comments.

Motion made by Council Member Araskog and seconded by Council Member Crampton that Special Exception Z-20-00263 shall be granted based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met, and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground utilities in the area. Motion carried unanimously, 5-0.

II. ORDINANCES

A. First Reading

1. ORDINANCE 02-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 18, Buildings And Building Regulations, Town Code Of Ordinances, By Adding Article VI, Historic Conservation Districts; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Town Attorney Randolph read Ordinance 02-2020 on first reading by title only.

Motion was made by Council Member Araskog, and seconded by Council Member Moore, to approve Ordinance 02-2020 on first reading. Motion carried unanimously, 5-0.

2. ORDINANCE 03-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 50, Floods, Town Code Of Ordinances, By Amending Article III, Definitions, Division 2, Definitions, Section 50-137.5, Definitions; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Town Attorney Randolph read Ordinance 03-2020 on first reading by title only.

Motion was made by Council Member Araskog, and seconded by Council Member Moore, to approve Ordinance 03-2020 on first reading. Motion carried unanimously, 5-0.

Council President Zeidman asked if there were any public comments for Ordinance 02-2020 or Ordinance 03-2020. There were no public comments.

III. ANY OTHER MATTERS

A. Discussion on Prohibited Vegetation

Acting Director Bergman advised that Mr. Greenwald's letter had brought up the problem of vegetation planted up against neighboring buildings, and suggested there should be some minimum separation distance between the buildings on the neighboring properties and the plant material.

Consensus of Council was to send this to ORS.

B. Minutes from the June 10, 2020 Meeting (carried from July 14, 2020 meeting)

Council Member Araskog requested changes to the summarized minutes of the June 10, 2020 meeting minutes, specifically to add items she had discussed in the beginning of the meeting.

Council President Zeidman suggested adding an addendum, a transcript of Council Member Araskog's comments. Council Member Araskog thought the minutes should be amended.

Consensus of Council was to bring the minutes back to the August 11, 2020 meeting.

IV. ADJOURNMENT

The Town Council Development Review meeting was adjourned at 2:44 p.m. without the benefit of a motion and roll call.

APPROVED:

Margaret Zeidman, Town Council President

ATTEST:

Kelly Churney, Administrative Specialist

TOWN OF PALM BEACH

Town Council Meeting on: August 11, 2020

Section of Agenda Minutes

Agenda Title

Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of July 29, 2020.

Presenter

Wayne Bergman, Acting Director of Planning, Zoning and Building

ATTACHMENTS:

- ▣ **Memorandum Dated August 3, 2020 from Wayne Bergman, Acting Director of Planning, Zoning and Building**
- ▣ **Minutes of the Architectural Review Commission Meeting of July 29, 2020**

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2020

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Acting Director of Planning, Zoning & Building

Re: Approval of the Architectural Commission Meeting Minutes of July 29, 2020

Date: August 3, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the major items that were approved by ARCOM at the regularly scheduled meeting of July 29, 2020.

BOARD OR COMMISSION RECOMMENDATION

The Architectural Commission recommends that the Town Council approve the major items that were considered at the regularly scheduled meeting of July 29, 2020.

GENERAL INFORMATION

These minutes are submitted to the Town Council for approval pursuant to Chapter 18-177 of the Town of Palm Beach Code of Ordinances.

Attachment

kmc



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, JULY 29, 2020

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com.

I. CALL TO ORDER

Mr. Small called the meeting to order at 9:0 a.m. All members participated via Zoom Webinar due to the COVID-19 situation.

II. ROLL CALL

Michael B. Small, Chairman	PRESENT
Robert N. Garrison, Vice Chairman	PRESENT
Alexander C. Ives, Member	PRESENT
Maisie Grace, Member	PRESENT (joined at 9:03 a.m.)
John David Corey, Member	PRESENT
Betsy Shiverick, Member	PRESENT
Richard Sammons, Member	PRESENT (joined at 9:15 a.m./left at 2:50 p.m.)
Katherine Catlin, Alternate Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT
Edward A. Cooney, Alternate Member	PRESENT

Staff Members present were:

Wayne Bergman, Acting Director of Planning, Zoning and Building
Paul Castro, Zoning Manager
Laura Groves van Onna, Historic Preservation Planner
Kelly Churney, Secretary to the Architectural Review Commission

Clerk's note: Ms. Catlin voted in the absence of Mr. Sammons, when needed.

III. PLEDGE OF ALLEGIANCE

Chairman Small led the Pledge of Allegiance.

IV. **RULES OF ORDER AND PROCEDURE**

Mr. Bergman announced that the meeting was being held electronically due to the CDC guidelines, and in accordance with State Executive Order 20-69. Mr. Bergman reviewed the procedures for Commissioners participating in the meeting.

V. **APPROVAL OF THE MINUTES FROM THE JUNE 24, 2020 MEETING**

Motion made by Ms. Catlin and seconded by Mr. Garrison to approve the minutes from the June 24, 2020 meeting. Motion carried unanimously.

VI. **APPROVAL OF THE AGENDA**

Mr. Small requested the following amendments to the agenda:

Deferral of B-074-2019, 125 Worth Ave. to the November 20, 2020 meeting

Deferral of B-034-2020, 2730 S. Ocean Blvd. to the August 26, 2020 meeting

Deferral of B-038-2020, 755 N. Lake Way to the September 23, 2020 meeting

Motion made by Mr. Garrison and seconded by Mr. Corey to approve the agenda as amended. Motion carried unanimously.

A lengthy discussion of the Commissioners ensued on whether to allow the requested informal presentation of 125 Worth Avenue (B-074-2019) to occur at the September 23, 2020 meeting.

Jamie Crowley, attorney for the applicant of the project at 125 Worth Avenue, stated that the deferral requests to date were due to the following: COVID, at staff's request because of the concern for the neighbors and attempting to address the concern that the application would be heard out of season. Mr. Crowley stated his team could present in September if it was the wish of the Commission.

Motion made by Mr. Garrison and seconded by Ms. Grace to deny the request to hear the informal presentation of B-074-2019, 125 Worth Avenue at the September 23, 2020 meeting. Motion carried unanimously.

VII. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY**

Mr. Small announced that Ms. Churney would be administering the oath at the beginning of each project.

VIII. **COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)**

There were no comments heard at this time.

IX. **COMMENTS FROM THE ARCHITECTURAL COMMISSION MEMBERS**

Ms. Catlin stated she wanted to express concerns that she had received for the empty spaces of properties after demolition and before new construction. She stated that citizens were requesting the Commissioners to address this during their review.

Mr. Floersheimer inquired about the virtual meetings and whether they would continue through September. Mr. Bergman confirmed that the August meeting will be virtual.

Mr. Corey thanked staff for the Zoom platform and offered some Zoom tips. He also thanked staff for the list containing the recent staff approvals, which was provided to the Commissioners. Mr. Corey asked if neighbors were able to search for the staff approvals on the web. Mr. Bergman stated that neighbors could file a public records request to get the information.

X. **INFORMAL REVIEW**

A. 313 ½ Via Bice – Fountain

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Smith presented the modifications proposed for the fountain proposed in Via Bice.

Motion made by Mr. Garrison and second by Mr. Ives to allow staff to approve the staff approval as requested. Motion carried 6-1, with Ms. Grace opposed.

XI. **PROJECT REVIEW**

Please note: There was a consensus of the Commission to hear this project first under project review.

B-069-2019 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)

Address: 977 South Ocean Boulevard

Applicant: 195 PHESTEN ASSOCIATES, LLC (RUSTY & ASHLEY HOLZER)

Professional: Studio SR Architecture

Project Description: Demolition of existing 1-story wood frame house, and construction of a contemporary 1 & 2-story residence.

ZONING INFORMATION: A request for Special Exception with Site Plan Review to allow the construction of a 6,546 square foot two-story residence on a non-conforming lot that is 76.5 feet in depth in lieu of the 150 foot minimum required in the R-A Zoning district and 12,813 feet in area in lieu of the 20,000 square foot minimum area required in the R-A Zoning district (Section 134-840 & 134-893(c)). The following variances are also being requested:

1. Section 134-843(a)(5): A request for a variance to allow the proposed residence to have a front setback of 21.2 feet in lieu of the 35-foot minimum required in the R-A Zoning District.
2. Section 134-843(a)(5) and (9): A request for a variance to allow the proposed residence to have a rear setback of 9 feet in lieu of the 15 foot minimum required in the R-A Zoning District which includes the balconies which extend 3 feet from the building in lieu of the 2' foot maximum allowed.
3. Section 134-1757: A request for a variance to allow the proposed residence to have a swimming pool rear setback of 5.3 feet in lieu of the 10-foot minimum required in the R-A Zoning District.

4. Section 134-843(a)(11): A request for a variance to allow the proposed residence to have a Lot Coverage of 33.32% in lieu of the 25% percent maximum allowed in the R-A Zoning District.
5. Section 134-843(a)(6)b: A request for a variance to allow the proposed residence to have an Angle of Vision of 136 degrees in lieu of the 116 degrees maximum allowed in the R-A Zoning District.
6. Section 134-843(a)(7): A request for a variance to allow the proposed residence to have a Building Height Plane setback range of 21.2' to 29.9' in lieu of the range of 35' to 42' 11 1/4" minimum required in the R-A Zoning District for this proposed house.

At the October 30, 2019 ARCOM meeting, the demolition of the existing home was approved; however, the proposed new home was deferred to the December 13, 2019 meeting with direction to restudy the project per the comments made by the Commission members. A motion carried at the December meeting to defer the project to the January 29, 2020 meeting at the request of the applicant. A motion carried at the January meeting to defer the project to the March 25, 2020 meeting for a significant restudy with consideration of the comments from the Commissioners. A motion carried at the March meeting to defer the project to the April 29, 2020 meeting due to the COVID-19 situation. A motion carried at the April meeting to defer the project to the May 27, 2020 meeting. A motion carried at the May meeting to defer the project to the July 29, 2020 meeting at the request of the applicant.

Call for disclosure of ex parte communication: There was no ex parte

Maura Ziska, Attorney for the project, stated her reasons and request for a third applicant requested deferral.

Mr. Corey inquired about the third deferral request and whether the approval was a formality. Mr. Bergman confirmed that this was procedure and that the deferral was without prejudice.

Mr. Floersheimer inquired about a further deferral by the Commission. Mr. Small stated that a deferral from the Commission would not count towards an applicant requested deferral.

Motion made by Mr. Garrison and seconded by Mr. Ives to approve the deferral request to the September 23, 2020 meeting as requested. Motion carried 6-1, with Mr. Corey opposed.

DEMOLITIONS AND TIME EXTENSIONS

B-035-2020 Demolition

Address: 756 Hi Mount Road

Applicant: Hi Mount LLC (Amy Zabetakis, Member)

Professional: Ken Tate/Richard Leja

Project Description: Complete demolition of existing residence, swimming pool and landscaping.

Call for disclosure of ex parte communication: Disclosure by several members.

Richard Leja, ACI Architects, presented the architectural plans for the proposed demolition.

Brian Vertesch, SMI Landscape Architecture, presented the landscape and hardscape demolition plans.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Leja agreed to the easement.

Mr. Corey expressed concern for the lot during the time between demolition and new construction. He questioned the need for the gravel driveway to remain as well as the landscape buffers.

Mr. Small confirmed with staff that any lot is required to be sodded and irrigated 30 days after demolition. Mr. Bergman provided confirmation.

Ms. Catlin raised a concern with what was in her belief, a loophole in the sod and irrigation requirement.

Mr. Corey stated he would like to see a nice buffer for the neighbors as well as a sodded lot. Mr. Leja responded.

Mr. Garrison agreed with Mr. Corey and thought a buffer and a sodded lot should be required.

Ms. Catlin expressed concern for the length of time between demolition and new construction and the state of the lot during that time. Mr. Leja responded.

Motion made by Mr. Corey and seconded by Ms. Grace to approve the demolition with the following caveats: return to the August 26, 2020 meeting with a clean landscape plan that shows the lot sodded, irrigated and a proper landscape buffer. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

MAJOR PROJECTS – OLD BUSINESS

B-074-2019 Additions & Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)

Address: 125 Worth Avenue

Applicant: 125 Worth Partners LLC

Professional: Jose Luis Gonzalez Perotti/Portuondo Perotti Architects

Project Description: The project consists of the façade renovation and addition to an existing four-story 1970's building. The fourth-floor structure will be removed and replaced with four new luxury residential apartments, and trellis gardens. The façade will be renovated with new architectural screens, white brick veneer and exposed concrete accents that will enhance the aesthetic of the building for its users and pedestrians alike. The addition component consists of a new one-story commercial structure with a roof top trellised courtyard and a two-story elevator tower.

ZONING INFORMATION: A request for Site Plan Review modification approval for revitalization, renovation and expansion of the 45-year-old nonconforming commercial building located at 125 Worth Avenue in the C-WA zoning district. The building will be completely renovated architecturally using design themes found in the Worth Avenue Design Guidelines. In addition, a two-story addition is being proposed on the east end of the property. To make this project financially feasible, the owners are requesting to demolish and rebuild the existing fourth story and expand its footprint to add four residential units. In addition to the Site Plan Review proposed modifications, the applicant is requesting the following Special Exceptions and Variances required to complete the project: 1. Per Section 134-1163(8)b., a special exception for a two-story and fourth-story addition. The existing building is four stories but it is being expanded. 2. Per Section 134-2182(b), a special exception for on-site shared parking, subject to a professional shared parking analysis. 3. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the height from 53 feet in lieu of the 49 feet 2 inches existing and the 25-foot maximum allowed by code. 4. Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the overall building height to 63 feet 4 inches in lieu of the 53 feet 8 inches existing and the 35-foot maximum allowed by current code. 5. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the existing air-conditioned floor area of the fourth story to 13,212.9 square-feet from 3,448.75 square-feet existing. An open fourth story trellis of 5,433 square-feet is also proposed in this application and included in the calculation of lot coverage, below. There is an existing exterior fourth floor covered area of approximately 3,290 square-feet in addition to the existing air-conditioned floor area on the fourth story of the building. 6. Per Section 134-1163(5), variance to allow a minimum front yard setback of 1-foot 1 inch for portions of the building in lieu of the 5 feet existing and the 5 feet minimum required on the private property. The sidewalk is required to be a minimum of 10 feet wide and this proposal is a minimum of 8 feet 2 inches in the area where the sidewalk is only 1 foot 1 inch wide on private property. 7. Per Section 134-1163(9)b., variance for lot coverage of 71% on the first floor in lieu of the 57% existing and the 35% maximum allowable. 8. Per Section 134-1163(9)b., variance for lot coverage of 66% on the second floor in lieu of the 57% existing and the 35% maximum allowed for second story. 9. Per Section 134-1163(9)b., variance for lot coverage of 54% on the fourth floor in lieu of the 20% existing and the 35% maximum allowable by code.

Project history:

December 2020 – Deferred to February 26, 2020 at request of applicant.
February 2020 – Deferred to March 25, 2020 at request of attorney & (neighbors).
March 2020 – Deferred to April 29, 2020 due to COVID-19
April 2020 – Deferred to May 27, 2020 due to COVID-19
May 2020 – Deferred to June 24, 2020 at request of attorney (neighbors request).
June 2020 – Deferred to July 29, 2020 at request of attorney (neighbors request).

Clerk's note: This project was deferred for the formal presentation to take place on November 20, 2020 at the Approval of the Agenda, Item VI.

B-009-2020 New Cabana

Address: 1360 N. Ocean Blvd.

Applicant: Katherine J. Henry

Professional: M. Mark Marsh/Bridges Marsh & Associates, Inc.

Project Description: Construction of a beach cabana and site improvements. New doors and windows at the existing house.

Project history:

February 2020 – Deferred to March 25, 2020 for restudy of the project.

March 2020 – Deferred to April 29, 2020 due to COVID-19

April 2020 – Deferred to May 27, 2020 due to COVID-19

May 2020 – Deferred to June 24, 2020 for consideration of Commissioners comments

June 2020 – Approved beach cabana and landscaping with caveat that the ocean wall is lowered from 36 inches to 30 inches. Deferred main house modifications to July 29, 2020 for a restudy in accordance with the comments from the commissioners.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Marsh presented the architectural modifications to the main residence.

Mr. Sammons thought the changes were a big improvement and thought it was time to move the project.

Mr. Corey expressed concern for the door with sidelites. He thought a solid door would be more befitting.

Mr. Garrison agreed with Mr. Sammons and thought the changes were a big improvement. Mr. Ives agreed.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Marsh agreed to the easement.

Ms. Grace thought all of the changes had made the project much better. She questioned the Chippendale railings and agreed with Mr. Corey about the solid door.

Motion made by Mr. Sammons and seconded by Mr. Garrison to approve the project as presented. Motion carried 6-1, with Mr. Corey opposed. This motion was approved with the condition that the owner did voluntarily agree

to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

B-011-2020 Demolition/New Construction

Address: 217 Sandpiper Dr.

Applicant: Valley Property Management LLC (Philip Cambo)

Professional: Gregory Bonner/B1Architect

Project Description: A new proposed one-story single family residence approximately 5,120 total square feet in a Bermuda architectural style.

Project history:

February 2020 – Approved requested demolition. Deferred to March 25, 2020 for restudy based on comments from the Commission.

March 2020 – Deferred to April 29, 2020 due to COVID-19

April 2020 – Deferred to May 27, 2020 due to COVID-19

May 2020 – Approved the project with conditions – color of shutters changed to lighter color, removal of pediment on south elevation and deferred cabana design to June 24, 2020.

June 2020 – Approved project as presented with caveat that recessed windows and shower area would return to the July 29, 2020 meeting.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Bonner agreed to the easement.

Mr. Bonner presented the architectural modifications proposed for the windows and the pool bathroom.

Motion made by Ms. Grace and seconded by Mr. Garrison to approve the project as presented. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

B-020-2020 New Construction

Address: 171 Via Bellaria

Applicant: John Robert Tomisch Trust (M. Tim Hanlon, Attorney)

Professional: LaBerge & Ménard Inc.

Project Description: New 8,468 sq. ft. two-story house painted cream with clay tile roof, stone trim. New landscape and hardscape.

A motion carried at the May meeting to defer the project for one month, to the June 24, 2020 meeting, for a massive restudy with every aspect of the design. A

motion carried at the June meeting to defer the project to the July 29, 2020 meeting at the request of the professional.

Call for disclosure of ex parte communication: Disclosure by several members.

Daniel Ménard, LaBerge & Ménard Inc., presented the architectural plans proposed for the new residence.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Ménard agreed to the easement.

Mr. Garrison thought the house was much better sited and was supportive of the color choice. He expressed concern that the variance mentioned was not listed on the agenda.

Mr. Ives agreed with Mr. Garrison, however he expressed concern that the design was static. He felt that the scale of the home was a bit off.

Ms. Grace agreed with Mr. Garrison and expressed concern that the variance was not listed on the agenda. She asked Mr. Ménard to address the concerns of the neighbor. Mr. Ménard responded. Ms. Grace inquired about the door and driveway material. Mr. Ménard responded.

Mr. Castro stated that the Commission should make a recommendation on the variance on whether it would negatively impact the architecture of the home.

Mr. Corey pointed out that the variance was not listed on the agenda. Mr. Corey thought the design was a better fit for the streetscape but questioned the scale of the home. He thought the house was too tall. He was in favor of the garage design but thought the columns and fenestrations could be refined.

Mr. Castro stated the project should not be on the agenda because the notices for the zoning portion were just mailed and would not appear on the Town Council agenda until September. He added that the Commission could not make a final decision until August.

Ms. Shiverick asked for clarification on the window designs next to the front door. Mr. Ménard stated the arched windows were the windows proposed. Ms. Shiverick inquired about the detailing around the French doors on the south elevation. Mr. Ménard explained the design. Ms. Shiverick questioned the louvered shutters proposed and suggested using a raised panel shutters. She also suggested changing the shutter color to black. She suggested keeping the detailing around the French door more simplistic.

Mr. Sammons thought the design was a vast improvement but still did not rise to the level of the street. He requested detailed drawings and added the renderings and detail pages did not match. He expressed concern for the rear loggia, piers on the front, the scale of the home, the width of the home, the roof pitch and the windows on the second floor. He requested scale figures in the next drawings.

Ms. Catlin thought the house was improved but thought the height of the home needed to be reduced. She thought since the bar was set so high for this street, she thought the design needed to be elevated.

Mr. Cooney expressed concern for the protrusion of the garage wing. He questioned whether the railings would comply with the code. He thought the scale of the home was too massive and should be reduced. He questioned if a variance would still be necessary once the scale was reduced. Mr. Cooney stated he was in favor of the louvered shutters.

Mr. Small agreed with the Commissioners.

Maura Ziska, Attorney for the project, stated that the project was re-noticed to the August ARCOM meeting and the September Town Council meeting.

Motion made by Mr. Corey and seconded by Mr. Ives to defer the project to the August 26, 2020 meeting in accordance with the comments from the commissioners as well as to allow proper notice for the required variance. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

Please note: A short break was taken at 11:05 a.m. The meeting resumed at 11:18 a.m.

B-027-2020 Demolition/New Construction

Address: 335 Seabreeze Ave.

Applicant: 65 Kimberly Place LLC

Professional: MP Design and Architecture Inc.

Project Description: Demolition of existing two-story residence, one car garage and pool. Renovation of existing two-story guest house. New four car garage. Existing site wall and motor court to remain. New Landscape.

A motion carried at the April meeting to defer the project to the May 27, 2020 meeting. A motion carried at the May meeting to defer the entire project for one month, to the June 24, 2020 meeting, to allow the professional to return with renderings, more history on the current home and a more thorough demolition plan. A motion carried at the June meeting to defer the project to the July 29, 2020 meeting at the request of the professional.

Call for disclosure of ex parte communication: Disclosure by several members.

Michael Perry, MP Design & Architecture, Inc., presented the architectural plans proposed for the demolition of the existing home.

Dustin Mizell, Environment Design Group, presented the proposed plans for the landscape and hardscape demolition.

Mr. Garrison asked for confirmation that the lot would be sodded and irrigated immediately following demolition. Mr. Perry provided confirmation.

Mr. Sammons thought it was a shame this home was going to be demolished. Ms. Catlin agreed.

Mr. Floersheimer confirmed that the guesthouse could not be used. Mr. Perry provided confirmation. Mr. Floersheimer inquired about the driveway. Mr. Perry stated that Mr. Castro would need to weigh in on this issue.

Mr. Cooney stated he was sad to see the home demolished. Mr. Cooney asked about the guest home. Mr. Perry responded.

Mr. Small thought the home was unique and charming and expressed opposition for the proposed demolition. He thought the guesthouse to remain was dilapidated. He stated he could not support the request.

Mr. Perry clarified that the current owner was not involved with the previous landmarking effort of the home.

Mr. Garrison agreed with Mr. Small and thought the guesthouse needed to be demolished and the main house should remain.

Mr. Small asked Mr. Perry about the owner's intentions. Mr. Perry responded.

Mr. Corey expressed concern for the potential height of a new home and how it would look on the street.

Ms. Catlin suggested that the Commission take a stand on this demolition and deny the request.

Mr. Floersheimer stated he understood the owner's motivation to keep the guesthouse, however he suggested to demolish all of the structures so that the owner could start with a clean lot.

Mr. Mizell showed the rendering of what the lot would look like after the demolition of the existing residence.

Mr. Corey thought that the Commission should look at the lot without the front landscaping.

Mr. Ives stated he did not share the concerns for the landscaping proposed and explained his reasons. He expressed concern for the demolition but proposed the Commission should develop an overall solution.

Mr. Corey expressed dismay that the guesthouse was to remain.

Ms. Grace questioned if the main house could be converted into a garage, which the owner previously proposed. Mr. Perry responded.

Mr. Castro weighed in on the renovation of the guesthouse. Discussion continued.

Mr. Floersheimer inquired if the owner would seek a unity of title with the property they own to the west.

Discussion ensued.

Mr. Cooney addressed the lack of demolition review in the Town. He made a strong recommendation against using this home as an example to deny the demolition.

Motion made by Mr. Garrison and seconded by Mr. Corey to defer the project for one month, to the August 26, 2020 meeting, to allow the professionals to return with a clear plan for the guesthouse to remain. Motion carried 6-1, with Mr. Ives opposed.

B-032-2020 Additions/Modifications

Address: 220 El Vedado Rd.

Applicant: Robb Turner

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Addition of approx. 675 sq. ft. loggia and a stand-alone gym of approx. 840 sq. ft. Final landscape and hardscape to be included.

A motion carried at the June meeting to defer the project to the July 29, 2020 meeting at the request of the professional.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Segraves presented the architectural plans proposed for the loggia and gym proposed.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Segraves agreed to the easement.

Fernando Wong, Fernando Wong Outdoor Living Design, presented the landscape and hardscape plans proposed for the residence.

Mr. Garrison was in favor of the changes and supported the project. Mr. Ives agreed.

Ms. Grace liked the proposed changes but questioned the bay window proposed.

Daniel Clavijo, SKA Architect + Planner, confirmed the bay window would match the bay window that existed on the main home.

Mr. Corey was supportive of the project. He recommended using a native tree, possibly something sculptural, as the replacement in the motor court. Mr. Wong stated he would prefer to use a Live Oak.

Ms. Shiverick recommended reducing the guesthouse by a small amount to allow the structure to appear subservient. Mr. Segraves responded.

Mr. Sammons agreed with Ms. Shiverick. He explained the reasons he thought the guesthouse should be reduced. Mr. Sammons thought that the features on the building all needed to be reduced.

Ms. Catlin was in favor of the guesthouse but appreciated Mr. Sammons' comments.

Mr. Floersheimer did not think that the guesthouse needed to be reduced due to the size of the main house and the lot.

Motion made by Mr. Sammons and seconded by Ms. Shiverick to approve the landscape and hardscape plans as presented and to defer the architectural plans for the pavilion, for one month, to the August 26, 2020 meeting. Motion carried unanimously.

Please note: A lunch break was taken at 12:42 p.m. The meeting resumed at 1:18 p.m. Ms. Grace returned at 1:20 p.m.

MAJOR PROJECTS – NEW BUSINESS

B-036-2020 Demolition/New Construction

Address: 135 Reef Road

Applicant: Donald and Maureen Kandziora

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Demolition of a one story residence, landscape, hardscape and pool. Construction of a new two story residence, landscape, hardscape and pool.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Janssen presented the demolition plans for the existing residence.

Dustin Mizell, Environment Design Group, presented the demolition plans for the existing landscape and hardscape.

Mr. Corey inquired about the Sabal palms in the front of the residence. Mr. Mizell responded.

Motion made by Mr. Corey and seconded by Mr. Garrison to approve the demolition as presented with the following conditions: to sod and irrigate the property within 30 days and all elements on the property are to be maintained prior to demolition, with the items remaining after demolition to be maintained until new construction commences. Motion carried unanimously.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Janssen agreed to the easement.

Mr. Janssen presented the architectural plans proposed for the new residence.

Mr. Mizell presented the landscape and hardscape plans proposed for the new residence.

Mr. Garrison was in favor of the home but expressed concern for the site wall that would appear to the neighbors. Mr. Garrison inquired if the wall would be stuccoed. Mr. Mizell confirmed it would be stuccoed.

Mr. Ives inquired about the purpose for the dormer window. Mr. Janssen responded. Mr. Ives thought a slight reduction in height would be nice.

Ms. Grace expressed concern for the lack of variety on the streetscape. She thought it was a bit more massive than the other homes on the street. Ms. Grace also thought some distinguishing features would be nice.

Mr. Corey agreed with Mr. Ives and thought the height was just a bit too tall. He thought the house would work well on the street. Mr. Corey was also in favor of the landscape plan. Mr. Corey expressed concern for the amount of fenestration on the rear of the home. Mr. Janssen responded.

Ms. Shiverick thought the front wall should be lowered. She stated that she would prefer the black lanterns rather than the copper shown.

Mr. Sammons thought at least a foot needed to be removed from the height of the proposed home. He expressed concern for the roof pitch and design. He

suggested adding an additional post on the back of the home. He expressed concern for the fenestration on the rear of the home.

Ms. Catlin agreed with the need to reduce the height. She asked for confirmation from Mr. Mizell that all grass proposed would be natural. Mr. Mizell provided confirmation. Ms. Catlin inquired about the walls proposed for the sides of the property. Mr. Mizell responded.

Mr. Floersheimer was in favor of the landscape plan but expressed concern for the roof plan.

Motion made by Mr. Corey and seconded by Ms. Shiverick to defer the project to the August 26, 2020 meeting in accordance with the comments of the commissioners. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

B-037-2020 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW

Address: 110 Seagate Road

Applicant: Carlos Musso, Sr.

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Demolition of existing residence, landscape, hardscape and pool. Construction of a new two story residence, landscape, hardscape and pool.

ZONING INFORMATION: Special Exception with Site Plan Review to allow the construction of a 4,201 square foot two-story new residence on non-confirming portions of platted lots with a depth of 96.12 feet In lieu of the 100 foot minimum depth required In the R-B Zoning District.

Call for disclosure of ex parte communication: Disclosure by several members.

Ms. Churney noted two additional letters of opposition on the project that had been received by the Town.

Mr. Janssen presented the demolition plans for the existing residence.

Dustin Mizell, Environment Design Group, presented the demolition plans for the existing landscape and hardscape.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Janssen agreed to the easement.

Motion made by Mr. Garrison and seconded by Ms. Shiverick to approve the demolition as presented with the following conditions: to sod and irrigate the

property within 30 days and all elements on the property are to be maintained prior to demolition, with the items remaining after demolition to be maintained until new construction commences. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

Mr. Janssen presented the architectural plans proposed for the new residence.

Mr. Garrison thought the design was a nice house but felt it would be too dissimilar on the street.

Mr. Ives stated he did not have a big opposition to the project. He suggested a change to the parapets and the roof.

Ms. Grace liked the inspiration photos of the design style. She thought some changes could be made so that the home could fit into the neighborhood.

Mr. Corey agreed with Mr. Ives and thought some changes could be made to improve the home. He thought the pergola design could be rethought as well as the addition of more detailing to the front door entrance.

Ms. Shiverick thought the home was too dissimilar for the street but thought some changes would help it fit onto the street.

Mr. Sammons was in favor of the home. He thought some changes to the parapet could be made as well as a change to the wood over the front door. He suggested some softening with some traditional detailing. Mr. Janssen responded.

Ms. Catlin thought the home was too stark of a difference on the street.

Mr. Floersheimer appreciated the presentation and thought some small adjustments could be made. He thought the home would break up the street and become a point of interest.

Mr. Cooney liked the home but at the same time, felt it was too dissimilar for the street.

Maura Ziska, Attorney for the applicant, reviewed the zoning requests and advocated for a positive recommendation to the Town Council.

Jeffrey Smith, owner of 119 Seagate Road, expressed concern for the proposed home in the context of the neighborhood.

Mr. Mizell presented the landscape and hardscape plans proposed for the new residence.

Mr. Corey thought the plan proposed was special. He questioned the Buttonwood tree location and suggested moving it more to the west.

Mr. Sammons thought the landscape plan was great.

Jeffrey Smith, owner of 119 Seagate Road, warned that the salt air may ruin all of the landscape.

Ms. Grace was in favor of the landscape plan as well as the proposed Green Buttonwood tree.

Motion made by Mr. Ives and seconded by Mr. Corey to defer the project, for one month, to the August 26, 2020 meeting to allow the professional to research the features of the design. Motion carried unanimously

B-038-2020 Additions/Modifications

Address: 755 N. Lake Way

Applicant: Slope Trail Development LLC (Lee Fensterstock, Manager)

Professional: Pat Segraves/SKA Architect + Planner

Project Description: Renovation of existing one-story home. Addition of approximately 600 sq. ft. for a total of 3,910 sq. ft. plus 260 sq. ft. loggia. Change to island style home, raising floor elevation and replacing roof. Final landscape and hardscape to be included.

Clerk's note: This project was deferred to the September 23, 2020 meeting at the Approval of the Agenda, Item VI.

B-039-2020 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 920 N. Lake Way

Applicant: Mr. & Mrs. Jeffrey Marcus (Contract Purchaser)

Professional: MP Design and Architecture Inc.

Project Description: Additions and renovations to existing two-story residence that includes a new covered entry, expanded lake loggia and a second story addition with terrace. The second story mansard roof will be replaced with a regency style parapet roof. New hardscape, landscape and pool.

ZONING INFORMATION: The applicant is proposing a renovation to the property that includes the demolition of a 337 square foot cabana, demolition of 52 square feet from existing loggia, demolition of 23 square feet from the south side of the house, adding a new 200 square foot entry, adding 143 square feet to the existing loggia and small additions to the house on the north and south side. The following variances are being requested: 1. A north side yard setback for the one story addition ranging from 8.7 feet to 10.4 feet (to match existing) in lieu of the 15 foot minimum required; 2. A south side yard setback for the second floor addition with terrace of 9.9 feet (to match existing) in lieu of the 15 foot minimum required; and 3. Lot coverage of 30.5 % in lieu of the 30 % maximum allowed for the proposed additions (no net change to existing lot coverage calculation of 30.5%).

Call for disclosure of ex parte communication: Disclosure by several members.

Maura Ziska, Attorney for the applicant, reviewed the zoning requests and advocated for a positive recommendation to the Town Council.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Perry agreed to the easement.

Michael Perry, MP Design & Architecture, presented the architectural modifications proposed for the existing residence.

Mario Nievera, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the existing residence.

Mr. Small inquired if the vehicular gate was new. Mr. Perry stated it was a new gate.

Mr. Garrison was happy to see the house being saved and not demolished. He was in favor of the proposal.

Ms. Grace thought the design style change was successful. She questioned the design style of the railings by the French doors, the pool and the front gate and felt they may conflict with the design. She recommended a simpler design.

Mr. Corey stated he would support the architecture but expressed concern for the proposed landscaping. He thought the proposed palms were too small. He thought some shade trees should be added along the Lake Trail. Mr. Corey thought the landscape plan should be beefed up, especially along the Lake Trail.

Ms. Shiverick thought the project was exciting and supported the project.

Ms. Catlin stated she was opposed to the artificial turf in the motor court but was supportive of the rest of the project.

Mr. Floersheimer agreed with the rest of the Commissioners and with Ms. Catlin about the artificial turf. He asked Mr. Nievera if he would be willing to switch to natural turf. Mr. Nievera stated he would make that modification. Mr. Floersheimer inquired about the locations of the mechanical equipment. Mr. Perry responded.

Mr. Cooney thought the project was excellent. Mr. Cooney inquired if there was a grade change next to the Lake Trail. Mr. Nievera responded.

Mr. Corey inquired if Mr. Nievera would be willing to plant some shade trees next to the Lake Trail. Mr. Nievera confirmed that he would be willing to do so.

Motion made by Ms. Shiverick and seconded by Mr. Garrison that implementation of the proposed variances will not cause negative architectural impacts to the subject property. Motion carried unanimously.

A second motion made by Ms. Shiverick and seconded by Ms. Grace to approve the project as presented with the following caveats: the artificial turf proposed is replaced with natural grass and that shade trees, deemed appropriate by the owner and landscape professional, are added on the Lake Trail. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

B-041-2020 Additions/Modifications

Address: 130 Banyan Road

Applicant: 130 Banyan LLC (Maura Ziska, Manager)

Professional: Peter Papadopoulos/Smith and Moore Architects, Inc.

Project Description: Alterations and addition to an existing two-story residence and one-story accessory building. New swimming pool. Final landscape and hardscape.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Papadopoulos presented the architectural modifications proposed for the existing residence.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Papadopoulos agreed to the easement.

Mr. Small inquired if the owners considered keeping the English Tudor style. Mr. Papadopoulos responded. Mr. Small asked about the dormer windows proposed. Mr. Papadopoulos responded.

Mr. Garrison liked the position of the front door. He asked the professional if he thought about keeping the peaked dormers. Mr. Papadopoulos responded.

Mr. Ives was in favor of the project.

Ms. Grace thought the changes were positive, even with the new design style. She made a color recommendation for the frieze located on the front of the home. She also recommended raising the box, bay window.

Mr. Corey expressed concern for the window in the dining room and thought this window was too big. Mr. Papadopoulos thought he could remove the sidelites on the window and thought it would fix the problem. Mr. Corey agreed.

Ms. Shiverick was supportive of the project. She recommended using taller trees in the front of the property.

Ms. Catlin thought the proposed home was a wonderful reinvention.

Mr. Floersheimer was in favor of the project. He initially questioned the fenestration on the south elevation but changed his mind once he saw the rendering.

Mario Nievera, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the existing residence.

Ms. Grace questioned the plantings around the mechanical equipment. Mr. Nievera responded.

Motion made by Mr. Corey and seconded by Mr. Ives to approve the project as presented with the removal of the sidelites in the dining room window. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

B-042-2020 Additions/Modifications

Address: 221 Ocean Terrace

Applicant: Amin Khoury

Professional: Rex Nichols Architects Inc.

Project Description: 183 sq. ft. is being added to the master bedroom. The summer kitchen is being updated. Doors and windows will be replaced. New site walls and landscaping to be added. The garage roof shall be replaced with a flat roof deck.

Call for disclosure of ex parte communication: Disclosure by several members.

Rex Nicholas presented the architectural modifications proposed for the existing residence.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Nicolas agreed to the easement.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications proposed for the existing residence.

Mr. Garrison was in favor of the project.

Ms. Grace questioned whether the house would fit in the neighborhood.

Mr. Corey questioned the fenestration changes and found the old home more charming. He thought the existing home could be successfully modernized. He thought the landscaping changes were successful.

Ms. Shiverick thought the changes were a nice update but questioned the wrapped window on the third bedroom. She also questioned the second floor windows as well.

Ms. Catlin was in favor of the changes but thought the design was not compatible for the neighborhood.

Motion made by Mr. Corey and seconded by Mr. Garrison to defer the project, for one month, to the August 26, 2020 meeting in accordance with the comments from the commissioners. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

MINOR PROJECTS – OLD BUSINESS

A-012-2020 Modifications

Address: 1178 N. Ocean Blvd.

Applicant: 1178 Ocean LLC (Robert J. Buford, Manager)

Professional: Nicholas Fobes/Hoerr Schaudt Landscape Architects

Project Description: Changes to pool, spa, landscape and hardscape at the beach cabana of a previously approved project.

A motion carried at the June meeting to defer the project to the July 29, 2020 meeting at the request of the professional.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Papadopoulos introduced the project.

Doug Hoerr, Hoerr Schaudt Landscape Architects, presented the landscape and hardscape modifications proposed for the beach cabana.

Mr. Small inquired about the amount of palms proposed. Mr. Hoerr response. He expressed concern that the vista would be covered by landscaping.

Mr. Garrison inquired about the landscaping proposed and the wall height proposed. Mr. Hoerr responded.

A short discussion ensued about the amount of landscaping proposed and the length of the open vista.

Mr. Papadopoulos commented on the wall height.

Mr. Ives stated he supported the project.

Ms. Grace preferred the original presentation rather than the proposed. She preferred the undulations in the previously proposed greenspace and believed there was now more hardscape and foliage proposed. Mr. Hoerr responded. She inquired about the foliage next to the site wall. Mr. Hoerr responded.

Ms. Grace inquired about the ordinance that addressed the vista views. Mr. Falco stated that Mr. Castro could not comment as he was no longer online.

A discussion ensued about the water vista and the wall height proposed.

Mr. Garrison suggested leaving the wall higher next to the cabana and the lowering the rest of the wall height to keep the vista open.

Mr. Papadopoulos discussed the site redesign and possible reasons the wall was proposed higher in some of the areas.

Mr. Corey inquired what wall height had been previously approved. Mr. Papadopoulos responded.

Ms. Shiverick thought the plan provided enough vista and added that she respected their privacy around their proposed dining area. She was in favor of the added palms. She stated she would support the project.

Ms. Catlin agreed with Ms. Shiverick but stated she was not in favor of the increase in hardscape. Mr. Floersheimer agreed with Ms. Catlin.

Mr. Cooney expressed concern for the LED lighting proposed being too bright for the sea turtle regulations. Mr. Hoerr responded.

Motion made by Mr. Garrison and seconded by Mr. Corey to defer the project for one month, to the August 26, 2020 meeting, in accordance with the comments from the commissioners. Motion carried 5-2, with Mr. Ives and Ms. Shiverick opposed.

MINOR PROJECTS – NEW BUSINESS

A-014-2020 Fence

Address: 209 Wells Road

Applicant: Olive and Liam McCarthy

Professional: Environment Design Group

Project Description: New 4' tall black chain link fence installed behind existing 8' tall ficus hedge along Wells Road and Crescent Drive. Proposed 6' tall opaque fence along west and northern property lines

Call for disclosure of ex parte communication: Disclosure by several members.

Adam Mills, Environment Design Group, presented the landscape modifications proposed for the existing residence.

Ms. Grace questioned if the Ficus would be replaced in the rear. Mr. Mills responded.

Ms. Catlin inquired about the color of the opaque fence. Mr. Mills responded.

Mr. Floersheimer inquired about the material for the opaque fence. Mr. Mills responded.

Motion made by Mr. Garrison and seconded by Mr. Corey to approve the project as presented. Motion carried unanimously.

A-015-2020 Garage Addition

Address: 353 El Brillo Way

Applicant: 353 El Brillo, LLC (Eduard de Guardiola, Manager)

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Construction of a two-story garage addition with materials and finishes to match existing conditions.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Janssen presented the architectural modifications proposed for the garage addition.

Steve West, Parker Yannette, presented the landscape modifications proposed for the existing residence.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Janssen agreed to the easement.

Mr. Garrison thought it was an improvement.

Mr. Corey was in favor of the project.

Ms. Shiverick thought the addition looked like an afterthought and stated she could not support it.

Ms. Catlin thought the addition missed the mark.

Motion made by Mr. Corey and seconded by Mr. Garrison to approve the project as presented. Motion carried 4-3, with Ms. Shiverick, Catlin and Grace opposed. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

A-016-2020 Modifications

Address: 1960 South Ocean Blvd.

Applicant: 1960 LLC (Nathan T.H. Lloyd, Manager)

Professional: Daniel Downey Architect Cht. Inc.

Project Description: Build an enclosed structure for replacement generator at the same location that the existing generator now occupies.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Downey agreed to the easement.

Mr. Downey presented the architectural modifications proposed for the generator replacement.

Rachel Powell, PLA Design Studio, PLLC, presented the landscape modifications proposed for the existing residence.

Maura Ziska, attorney for the owner, spoke about the zoning requests but stated this project was not a combination project.

Ms. Shiverick inquired if this project was noticed to the neighbors. Ms. Ziska responded. Ms. Shiverick inquired about the building for the generator. Mr. Downey responded.

Mr. Floersheimer questioned the height of the building. Mr. Downey responded. A small discussion ensued.

Motion made by Ms. Grace and seconded by Mr. Corey to approve the project as presented. Motion carried unanimously. This motion was approved with the condition that the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town.

A-018-2020 Modifications

Address: 259 Worth Ave.

Applicant: Fro II 259 Worth Owner LLC (Andrew Osborne)

Professional: Keith Spina/Spina O'Rourke

Project Description: Modification to previously approved project. On west elevation – remove existing cast stone dentils, new pedestrian gate, new simulated divided lights on existing windows to match previously approved windows, new awning & trellis around existing windows. Existing wall to be painted white. On south elevation – square top window in lieu of arched.

Call for disclosure of ex parte communication: Disclosure by several members.

Mr. Spina presented the architectural modifications proposed for the Tiffany's building.

Mr. Garrison inquired about the material for the gate proposed. Mr. Spina responded. Mr. Garrison also questioned the way the gate opened for egress.

Ms. Grace questioned the addition of the gate.

Mr. Corey was in favor of the gate. Mr. Corey questioned the awnings on the second floor.

Ms. Shiverick liked the change in the windows. She questioned the different color proposed for the awnings. She suggested that it may look better without awnings.

Ms. Catlin was supportive of the project.

Mr. Floersheimer agreed with Ms. Shiverick regarding the awnings. He also was opposed to the gate.

Mr. Small inquired about the color of the exterior of the building. Mr. Spina responded. Mr. Small stated he agreed with Ms. Shiverick on the awnings.

Motion made by Ms. Ives and seconded by Mr. Garrison to approve the project as presented. Motion failed 3-4, with Mses. Grace, Shiverick and Messrs. Corey and Small opposed.

Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the project as presented with the caveat that the awnings are removed from the project. Motion carried unanimously.

B-034-2020 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)

Address: 2730 S. Ocean Blvd.

Applicant: The Ambassador Hotel Cooperative Apartment Corp., A Florida Corporation. (Richard Schlesinger, President)

Professional: Richard Sammons/Fairfax, Sammons and Partners

Project Description: Additions and interior and exterior renovations to the buildings at 2730 S. Ocean Blvd. Landscape and hardscape changes included.

ZONING INFORMATION: The following zoning relief is being requested: 1. Section 134-1055 (16.): Special Exception approval to modify the existing condo-hotel use in the R-D(2) Zoning District. 2. Section 134-327: Site plan approval for the modifications to the existing condo-hotel site as identified above. 3. Section 134-1064: Special exception approval for the new balconies on the third, fourth and fifth floors. 4. Section 134-1060 (6)(f): Variance request for the proposed redevelopment to include the addition of balconies on the south side of the building that will encroach into the south side yard setback by a 30 inches thus a variance request for a setback of 27.5 feet in lieu of the 30 foot minimum required. 5. Section 134-2172: Variance to allow the proposed off-street, valet-operated parking, to be tandem and stacked in lieu of the code required off-street parking standards related to size of spaces and access. The code requires parking spaces to be designed so that a vehicle can be removed without the necessity to move another vehicle. The proposed parking is modifying and adding parking areas designed with stacked (tandem) and lift parking. 6. Section 134-1064: Variance to allow the lot coverage to be 44.9% in lieu of the 23.7% existing and the 22% maximum allowed in the R-D(2) Zoning District for 5 story buildings (the building is 7 stories with a lower level floor area). 7. Section 134-1060(6): Variance to allow a north side yard setback of 15 feet in lieu of the 30 foot minimum required for the under dune garage. 8. Section 134-1064(b)(3): Variance to allow a height of 68.96 feet in lieu of the 62.5 maximum allowed for the Penthouse additions (7th floor).

A motion carried at the June meeting to defer the project to the July 29, 2020 meeting at the request of the professional.

Clerk's note: This project was deferred to the August 26, 2020 meeting at the Approval of the Agenda, Item VI.

XII. **STAFF APPROVALS**

Ms. Shiverick asked about the term, private providers, seen on the staff approval lists. Mr. Bergman explained the private provider inspections in the Town.

XIII. **ADDITIONAL COMMUNICATION FROM CITIZENS (3 MINUTE LIMIT PLEASE)**

Ms. Churney stated no one had requested to speak.

XIV. **COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT**

Ms. Churney stated that Mr. Sammons declared a conflict for his project at 247 Worth Avenue at the June 1, 2020 meeting and had correctly completed the 8B form in accordance with State Law.

Ms. Churney stated that Mr. Sammons declared a conflict for his project at 150 Worth Avenue, Suite 235 at the June 1, 2020 meeting and had correctly completed the 8B form in accordance with State Law.

Ms. Churney stated that Mr. Sammons declared a conflict for his project at 247 Worth Avenue at the June 24, 2020 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Garrison thought the topic of demolitions of historic homes should be addressed. Mr. Ives agreed and thought an update on the change in the ordinance, following the historic workshop last fall, would be beneficial. He suggested that the topic be put on the next agenda, where it will be advertised and an action could possibly be taken by the Commission.

Mr. Cooney spoke about Coral Gables and how they were able to divert demolition.

Mr. Corey questioned if the Commission could suggest to the Town Council that a delay on demolition be placed on any home over 50 years old.

Mr. Bergman stated he could discuss these ideas with Town Attorney Randolph.

XV. **ADJOURNMENT**

Motion made by Mr. Corey and seconded by Mr. Garrison to adjourn the meeting at 5:27 p.m. Motion carried unanimously.

The next meeting will be held on Wednesday, August 26, 2020 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S County Rd.

Respectfully Submitted,

Michael B. Small, Chairman
ARCHITECTURAL COMMISSION

kmc

TOWN OF PALM BEACH

Town Council Meeting on: August 11, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 60-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Selection Committee Recommendation for Award of RFQ No. 2020-05, Mid-Town Seawall Design and Construction Management Services to GHD, Inc. in the amount of \$659,522 and an overall project budget of \$758,450.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated July 30, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 60-2020**
- ▣ **Ordinal Ranking after Oral Interviews**
- ▣ **Proposal from GHD Inc.**
- ▣ **GHD Presentation**

TOWN OF PALM BEACH

Information for Town Council Meeting on August 11, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to Approve Selection Committee Recommendation for Award of RFQ No. 2020-05, Mid-Town Seawall Design and Construction Management Services to GHD, Inc. in the amount of \$659,522 and an overall project budget of \$758,450, **Resolution No. 60-2020**

DATE: 29 July 2020

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Selection Committee Recommendation for Award of RFQ No. 2020-05, Mid-Town Seawall Design and Construction Management Services to GHD, Inc. in the amount of \$659,522 and an overall project budget of \$758,450.

GENERAL INFORMATION

Town Purchasing issued RFQ No. 2020-05, seeking to retain the services of an experienced, knowledgeable, and well established professional engineering consultant to provide design and construction management services for the Mid-Town Seawall Replacement Project and associated site civil. The Town emphasized that it was imperative that this firm or its employees have a proven track record of success on projects of this specific scope and magnitude. The contract resulting from this Request for Qualifications (RFQ) will be for design phase services, permitting phase services, bid document preparation, contractor evaluation services, administrative services, and construction phase services. The limits of the Mid-Town Beach Seawall Replacement Project will be from north of Royal Palm Way to south of Gulfstream Road.

The Town sought the following highlighted metrics in the proposal responses:

- Relevant Project Experience (Seawalls/Bulkheads)
- Demonstrated Experience designing seawalls similar to Mid-Town Seawall
- Completed Municipal Projects over \$1,000,000
- Schedule/Budget Compliance
- Organizational chart / Resources
- Management's Credentials
- Project Personnel Credentials
- Sub-consultant Credentials

Twenty-six firms indicated an interest in submitting a response for qualifications, of which four firms actually submitted.

Purchasing broadcast the solicitation nationwide through DemandStar to 762 firms and in Public Purchase, to 17 firms. The solicitation was also broadcast in the Palm Beach Post, as per State Statue and on the Town website.

The Selection Committee consisted of the following voting members:

- Eric Brown, P.E., Assistant Director, Public Works
- Jason Debrincat, P.E., Senior Project Engineer
- Tom Lundeen, P.E., Public Works Director, Village of Wellington
- Jane LeClainche, CPA, Finance Director
- Robert Weber, Coastal Program Manager

Non-voting members consisted of:

- Paul Brazil, P.E., Public Works Director
- Patricia Strayer, P.E., Town Engineer
- Eric Shibley and Duke Basha from Purchasing as the facilitators

The Selection Committee initially ranked the four firms submitting as follows:

1. GHD, Inc.
2. Wantman Group, Inc.
3. Taylor Engineering, Inc.
4. Lakdas/Yohalem Engineering, Inc.

Oral interviews were conducted of the top three firms and GHD, Inc. was still ranked as number one. Two sessions were held with GHD, Inc. The following staff participated in the first negotiation:

- Kirk Blouin, Town Manager
- Paul Brazil, P.E., Public Works Director
- Patricia Strayer, P.E., Town Engineer
- Jason Debrincat, P.E., Senior Project Engineer
- Robert Weber, Coastal Program Manager
- Dean Mealy, CPPO, Purchasing Manager

In the proposal submitted by GHD, Inc., GHD Inc. recommended to complete design to 30% of two variations, which provided options to the Town. The two options that were presented were cantilevered and the tie-back alternative.

It should be pointed out that for a separate project, the Town Marina, Murray Logan proffered an alternative design which was the tie-back alternative which saved the Town a significant amount of money during the Best and Final Phase of Negotiations.

Based on the lessons learned and the willingness of GHD Inc. to explore the option of providing an alternative, a second negotiation session was set.

For the second negotiation, the following individuals participated:

- Kirk Blouin, Town Manager
- Paul Brazil, Public Works Director
- Dean Mealy, Purchasing Manager

The outcome of the second negotiation provided cost savings of several administrative staff to a 3% markup cap.

The main objective of the second negotiation was to have GHD Inc. carry both sets of design to 90% and then let the market place determine best solicitation methodology.

GHD Inc. provided the updated proposal which addressed labor rates for administrative staff. Robert Weber, Coastal Program Manager in addition to Paul Brazil reviewed and were in agreement with the update.

It should be pointed out that in 2019, Purchasing issued a solicitation for the same requirements. After numerous negotiations, the Town decided to reject all proposals and resolicit in FY2020. The previous negotiations provided excellent guidance when the Town was ready to negotiate this recommended award.

FUNDING/FISCAL IMPACT

Funding for the Design and Construction Management Services will be from the Coastal Fund.

PUBLIC WORKS REVIEW

This item has been reviewed by the Public Works and approved as recommended.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

Attachments

cc: Paul Brazil, Public Works Director
Eric Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E., Senior Project Engineer
Robert Weber, Coastal Program Manager

RESOLUTION NO. 60-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE SELECTION COMMITTEE
RECOMMENDATION FOR AWARD OF RFQ NO. 2020-05, MID-
TOWN SEAWALL DESIGN AND CONSTRUCTION
MANAGEMENT SERVICES TO GHD, INC. IN THE AMOUNT
OF \$659,522 AND AN OVERALL PROJECT BUDGET OF
\$758,450.**

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH,
PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 60-2020, approving the Selection Committee Recommendation for Award of RFQ No. 2020-05, Mid-Town Seawall Design and Construction Management Services to GHD, Inc. in the amount of \$659,522 and an overall project budget of \$758,450.

Section 2. The Town Manager is hereby authorized to execute this purchase order on behalf of the Town of Palm Beach for these improvements.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 11th day of August, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle Gordon, Acting Town Clerk



TOWN OF PALM BEACH

RFQ No. 2020-05- Mid-Town Seawall Design & Construction Management Services

SUMMARY OF ORDINAL SCORING			
SELECTION COMMITTEE	COMPANY NAME		
	GHD	WANTMAN GROUP	TAYLOR
Eric Brown	1	2	3
Jason Debrincat	1	3	2
Rob Weber	1	3	2
Thomas Lundeen	1	2	3
Jane LeClainche	1	3	2
TOTAL	5	13	12
RANK	1	3	2



Town of Palm Beach Mid-Town Seawall Replacement Project

Design, Permitting and Bid Phase Scope of Services

Submitted to:
Town of Palm Beach

July 6, 2020

Rev: July 8, 2020

Rev: July 28, 2020



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Appendix A	Town Approved GHD Team 2020 Rate Schedule
Appendix B	Proposed Project Schedule
Appendix C	Detailed Cost Estimate



1. Introduction

1.1 Purpose

The Town of Palm Beach (Town) desires to replace an aging section of existing seawall fronting the Atlantic Ocean in order to provide storm protection for Ocean Boulevard, which serves as the hurricane evacuation route for this segment of the Island. This scope of services document provides a description of the GHD Team's approach, deliverables, anticipated fees, and schedule to complete the design and permitting of the replacement wall.

1.2 Location

The Mid-Town Seawall Replacement Project (Project) comprises approximately 2,700 linear feet and extends from just north of Royal Palm Way to just south of Gulfstream Road. The Project limits are shown in Figure 1.

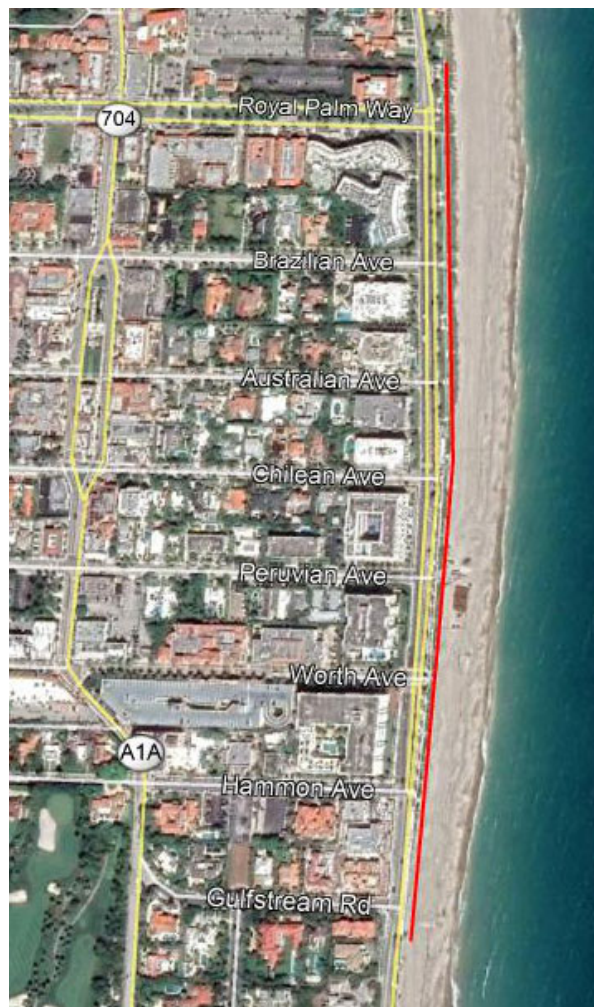


Figure 1. Mid-Town Seawall Replacement Project Limits



2. Scope of Services

The GHD Team has identified four distinct tasks to complete the design and permitting of the replacement seawall. These are:

- Task 1: Kickoff Meeting & Baseline Investigations
- Task 2: Seawall Engineering Design Services
- Task 3: Regulatory Authorizations for Seawall Replacement
- Task 4: Bid Phase Services

2.1 List of Assumptions and Basis of Estimate

The following assumptions apply to this scope of services and serve to assist in the formulation of the basis of estimate:

- This contract will be issued under a **Time & Materials – Not to Exceed** cost basis.
- GHD assumes that most upland features and utilities have already been located as part of the Town's on-going utility undergrounding efforts.
- The Town shall be responsible for payment of the CCCL permit application/processing fee.
- Construction phase services will be provided at a later date as determined by the Town.
- Public access stairs and ADA ramp design modifications (anticipated to be required subsequent to construction of the replacement wall) will be accomplished under separate authorization.
- Both cantilevered and tie-back seawall alternatives will be carried through to final design.

2.2 Task 1 – Kickoff Meeting & Baseline Investigations

2.2.1 Kickoff Meeting

The GHD Team will prepare for a Kick-Off Meeting with key Town Staff and members of the GHD Team to confirm communications protocols, develop a basis of design for the seawall, review the Seawall Project scope and schedule for major milestones (baseline investigations; 30%, 90%, and final seawall design; permitting; bid phase services), and verify the Town's objectives and expectations for the work. The exact limits of the Seawall Project will be confirmed with Town Staff.

The Kick-Off Meeting will be conducted within 14 business days of NTP in order to ensure a timely initiation of Project activities. Within three business days of completion of the meeting, a Meeting Summary Memorandum will be prepared and distributed to all attendees for the record/file.



2.2.2 Baseline Investigations

2.2.2.1 Data Review

The GHD Team shall receive from Town Staff all existing relevant seawall design documents and reports within the Town's files to be used in connection with the evaluation of the existing seawall. Expedited reviews of these documents are expected to provide base information to ascertain materials of construction, approximate spacing and/or locations of anchor rods and tiebacks, sheet pile dimensions, and (if known) the age of the existing wall(s). It is possible that portions of a timber wall (known to be in place in the late 1940s) still reside landward of the existing wall. This understanding of the location of subsurface constraints will become important during the physical construction of the replacement seawall, particularly if an anchor-supported wall is deemed the most viable and cost-effective option. The GHD Team will acquire any GIS database information from the Town pertaining to the existing seawall fronting South Ocean Boulevard along the Seawall Project limits. Further, data from previous geotechnical investigations performed along the Project shoreline will be accessed and reviewed to assist in any refinements to the GHD Team's geotechnical investigation, described in additional detail below.

In summary, the following information is specifically requested to be provided to the GHD Team by the Town in order to assist in the design formulation:

- Record drawings of the existing seawall - orientation, materials of construction, confirmation of location and orientation of north return wall
- Utilities locates/as-builts to determine conflicts for replacement seawall design elements
- Historic aerials to confirm record drawings and assist in the determination of scour potential and exposure of the seawall to direct wave attack over the Project limits
- Geotechnical data
- Recent & historic topographic surveys (for comparison following collection of Special Purpose Survey described below)
- Woods Hole Group Flood Modeling files to assist in the formulation of an appropriate top of wall elevation.

2.2.2.2 Topographic Survey

The Seawall Project will require regulatory authorization from the Florida Department of Environmental Protection (FDEP) in the form of a Coastal Construction Control Line (CCCL) Permit. The CCCL permit, "Application for a Permit for Construction Seaward of the CCCL or 50 Foot Setback" (DEP Form #73-100, September 2018) requires site-specific information to be submitted with the application. At this time – and based on preliminary discussions with FDEP CCCL staff - the Seawall Project should be pursued as 'major reconstruction' of existing coastal armoring.

The FDEP requires, among ownership and property boundary information, the seawall location relative to the CCCL, the contour line at 0.0 North American Vertical Datum 1988, and representative cross-sections depicting all structures and elevations from the Mean High Water Line (MHWL) to the CCCL. Owing to the extensive infrastructure development seaward of the CCCL along the Project shoreline,



the cross-section information will obtain data to the east edge of pavement of Ocean Boulevard. The inflection points along the seawall alignment, the cap/parapet wall elevation, the sand/wall interface elevations along the wall alignment, the seaward limits of the line of dune vegetation, the horizontal 'footprint' of the existing groins within the Seawall Project limits, where exposed will additionally be collected. The existing dune walkovers, public access ramps, the tunnel access for 100 Worth Avenue, the wastewater outfall vault, and other identified relevant design consideration features will also be located on the survey. On the landward side of the existing seawall, the sidewalks, benches, curbs, gutters, street lamps, stormwater drains, and landscaped areas will also be delineated. A Trimble S7 robotic-total station with "VISION" technology will be utilized to collect the field data.

In accordance with 62B-33.0081, Florida Administrative Code, the informational requirements will be collected in the field and compiled into a specific purpose survey. The survey will be signed and sealed by a Florida registered Professional Surveyor and Mapper.

2.2.2.3 Geotechnical Investigation

A geotechnical investigation will be conducted. The purpose of the investigation will be to evaluate generalized subsurface soil and groundwater conditions at the site on the landside and waterside of the seawall. We have assumed that the boring locations will be accessible to our truck-mounted and/or limited access drilling equipment, without the need for extensive clearing. The number, interval spacing, and depth of the soil borings that are recommended herein is based on our experience with similar projects. The geotechnical scope of services will include the following:

- identify the soil boring locations to minimize disruption to existing infrastructure as well as public use of the beach
- coordinate with the Town of Palm Beach Public Works Department to identify appropriate timing, maintenance of traffic requirements, and schedule
- obtain a Right of Way authorization/permit from the Town to perform the field work
- coordinate with Sunshine State One Call to identify possible buried underground utilities
- mobilize drilling equipment to the Project site
- conduct ten (10) Standard Penetration Test (SPT) borings per ASTM D 1586 (Standard Test Method for Standard Penetration Test (SPT) and Split-Barrel Sampling of Soils). Maintenance of traffic will be provided. The first two borings, acquired at approximately one-third limits of the Project extent north to south, will be advanced to a nominal depth of 50 feet on the west side of the seawall and west side of the sidewalk (landside)
- the depth of drilling of the subsequent eight SPT borings will be field-adjusted based on the location of subsurface rock encountered in the first two borings (anticipated to be on the order of 30 foot borings)
- collect three (3) rock cores per ASTM Standard D2113 (Standard Practice for Rock Core Drilling and Sampling of Rock for Site Exploration) at varying depths below surface in order to obtain sufficient core samples for unconfined compression testing



- visually classify the soils encountered in accordance with the Unified Soil Classification System; conduct laboratory classification of recovered soil samples, as necessary
- perform unconfined compression testing of cored rock
- technical drafting of boring logs.

The boring logs and laboratory classifications will assist in the seawall design and possible geotechnical issues with seawall construction, such as subsurface shell or cemented shell/sand (coquina rock). The SPT borings will be spaced at intervals of approximately 270 feet to provide satisfactory coverage across the 2,700 linear feet of Seawall Project shoreline. The three rock cores will be collected at appropriate intervals along the Project frontage and within specifically encountered subsurface rock layers noted in the SPT borings, in order to obtain appropriate samples for compression testing.

2.2.2.4 Ground Penetrating Radar

Ground-Penetrating Radar (GPR) will be performed on the west side of the seawall (landside) to determine typical spacing of tie rods, typical deadmen locations, and to investigate the existence of remnant historical walls. Not all tie rods, deadmen, and remnant walls will be located; only a representative sampling of locations will be explored to compare with the information collected during the data review phase. This data is necessary to inform the demolition plan for the existing wall. The GPR equipment will be contained within a wheeled cart which allows the geophysical technician to easily traverse the study area. The GPR equipment will be calibrated with a global positioning system (GPS) for location and distance accuracy. Identified study targets will be marked in the field and provided on a scaled map.

The GPR survey will be performed by trained staff in general accordance with recognized methods and guidelines. It should be noted that subsurface soil conditions and groundwater conductivity/salinity will impact the depth of penetration of the GPR signal and might impact detection of the tie rods and dead men. As a secondary method a Schonstedt metal detector will be used to verify the locations of the tie rods.

Deliverables

The following items will be provided in accordance with Baseline Investigations and Kickoff Meeting as described in Task 1 of this Scope of Services:

- Kick-Off Meeting Summary Memorandum
- Signed and Sealed Special Purpose (Site) Survey
- GPR Survey results
- Geotechnical Boring Logs and grain size distribution curves, and unconfined compression test results

The total cost for **Task 1** services is **\$102,337.11**.

2.3 Task 2 – Seawall Engineering Design Services

2.3.1 Coastal Engineering Assessment

A thorough understanding of the environmental conditions and coastal processes along the Project shoreline are critical to the long-term success of the replacement seawall design. GHD will determine and document the site water levels and wave forces that could interact with the wall for input into the Team's structural design. These parameters will be used to inform the following:

- Top of Wall: GHD will analyze a range of top of wall elevations utilizing the inundation probability maps generated by the Woods Hole Group and collected during Task 1. The results will be presented as combinations of water elevation components relative to the top of wall. The results of the analysis may be utilized to provide adaptive capacity into the seawall design; thus, allowing to the top of wall elevation to be increased at a later date as deemed appropriate and/or necessary by the Town.
- Scour: All coastal structures built on an erodible substrate, such as sand, are susceptible to damage resulting from scour. For seawalls, unplanned scour can result in the seaward rotation and/or failure of the wall. Based on historic aerial imagery, there is a potential for the beach face to erode into the seawall on the downdrift side of the groins (Figure 2). This will increase in probability as sea levels rise. GHD will develop a scour estimate based on a review of the publically available historic aerials and elevation surveys collected in Task 1.



Figure 2. Google Earth Aerial Depicting Beach Erosion (Date: 12/31/2001)



2.3.2 Preliminary Design Phase (30% drawings)

Utilizing the results of Task 1 and the coastal engineering assessment, our Team's structural engineers will recommend a seawall alignment option that provides a stable seawall design to withstand the anticipated forces acting along each segment of the seawall. It is anticipated that the proposed improvements will consist of at least partial demolition (cut-off) of the existing sheet pile seawall and the reconstruction of a new seawall located immediately seaward of the existing seawall alignment unless constraints exist along the seawall alignment that necessitate an alternate alignment location. We will evaluate two (2) steel sheet pile typical sections: (a) cantilevered and (b) with tie-backs. We will also evaluate the construction of a concrete cap and protective facing. Tie-backs, if required, are assumed to be screw-type to be installed from the beach to avoid significant impacts to North Ocean Boulevard.

This preliminary design phase will include a comparison of the impacts to the utilities, roadway, lighting, landscaping, existing groins, and rock toe scour apron/toe wall, limits of demolition, construction schedule restrictions, construction and stakeholder access and impacts, staging, phasing, traffic impacts, as well as permitting requirements associated with the proposed alignment. A conceptual opinion of probable construction cost (OPC) will be prepared as part of this phase.

The preliminary drawings will be included in the CCCL Permit application and are anticipated to include the following:

- Cover Sheet
- Specific Purpose Survey
- Site plan showing the location and limits of the new seawall
- A representative cross section that depicts the typical profile from the CCCL to the mean high water line
- Typical design section(s) for seawall to illustrate the design intent.

The drawings will be transmitted to Town Staff and will be followed by a meeting with key Team members (which will consist of GHD's Project Manager, Deputy Project Manager, Senior Structural Engineer and Senior Scientist I) at the Public Works facility. The Team will refine the concept design based on Town feedback and comments received during the regulatory review process before proceeding with (90%) design development.

It is envisioned that the 30% submittal will constitute the appropriate level of design detail to transmit as a component of a CCCL Permit application to the Florida Department of Environmental Protection. This regulatory authorization task is identified as Task 3 and is described further in this Scope of Services.

2.3.3 Ninety Percent (90%) Design Documents

Project design drawings will be prepared for both the cantilevered and tie-back alternatives developed in Task 2.3.2 with site-specific geometries, seawall alignment, and layout based on our collected survey, geotechnical, and existing condition data. The drawing set will be fronted by a cover sheet with a drawing index, a plan sheet depicting the location of the Project and the limits of work, plan views rendered at an appropriate scale to show the seawall alignment and inflection points along the approximately 2,700



ft. limits, cross section drawings, grading plans and general notes to provide initial clarification of the construction requirements.

Additional attention will be given to those special design consideration areas/items identified along the Project limits to determine viable alternate cross-sections or structural solutions at these locations. Anticipated areas that will require special consideration and design include:

- North termination
- South termination
- Tunnel connection to 100 Worth Avenue residences
- Nine groin connections and integration
- Worth Avenue Clock Tower and balustrade
- Emergency Sanitary Outfall
- Beach vehicular gate access
- Lifeguard station and restroom facility
- ADA pedestrian ramp design and upland connection
- Two public pedestrian stair access connections
- Top of wall aesthetics (scalloped feature).

The 90% Design Documents to be transmitted to the Town for review and comment will include a constructability review and the following documents. Note that GHD assumes that a tie-back system is not feasible along some portions of the wall (e.g., the clock tower). Accordingly, both cantilevered and tie-back alternatives are included where appropriate in the list below:

- Cover Sheet
- Site-Specific Survey
- General Notes
- Site Plan/ Horizontal Control and General Wall Layout (cantilevered and tie-back alternatives)
- Construction Phasing Plan and Demolition Details (cantilevered and tie-back alternatives)
- Upland Restoration Details for Pavement, Lighting, Sidewalks and Landscaping (cantilevered and tie-back alternatives)
- Typical Wall Sections and Details (cantilevered and tie-back alternatives)
- Seawall Termination Details (cantilevered and tie-back alternatives)
- Existing Tunnel Façade Connection Details
- Groin Connection Details
- Specialty Sections at Clock Tower, Sanitary Outfall, Lifeguard Station and Restrooms



- Ramp, Stair and Vehicle Access Gate Plan, Section and Details
- Construction Details (cantilevered and tie-back alternatives)
- Technical and Environmental Specifications (cantilevered and tie-back alternatives).

A schedule of values will be prepared along with the Engineers' opinion of the probable cost of construction for each of these values. Additional design documentation will include the geotechnical investigation report. The 90% Design Documents will be transmitted to the Town for review and comment.

2.3.4 Final (100%) Design Documentation (Plans and Specifications)

Upon receipt of final review and comments from the Town on the 90% Design Documents submittal package, the Team will incorporate/address those comments and assemble a final submittal package. The package elements will consist of the following:

- final construction plans and specifications as outlined in the 90% Design Documents task described above, prepared to a level of detail suitable for advertisement to qualified contractors
- a complete and final set of technical and environmental specifications, inclusive of both cantilevered and tie-back alternatives.
- a final opinion of probable cost of construction in the form of an annotated Schedule of Values.

Further, it is expected that the FDEP will issue the CCCL permit on or prior to our transmittal of the Final Design Documents. The permit will contain Specific Conditions that the selected contractor will need to comply with, so the permit will be a component of the design package.

All submittal documents will be provided in electronic PDF format for the Town to use for bidding and construction.

Deliverables

The following deliverables for the seawall engineering design services will be provided in support of the above described Task 2 Scope of Services:

1. Preliminary (30%) Drawings and Preliminary Opinion of Probable Cost
2. Ninety Percent (90%) Design Documents and Schedule of Values
3. Final (100%) Design Documents and Schedule of Values

The total cost for **Task 2** services is **\$455,276.05**.

Task 2 Allowance

Task 2 allowance includes three (3) progress meetings with the Town to review and discuss the 30%, 90%, and Final Design Documents. A meeting with key Team members will be scheduled with the Town following each of these submittals (after first allowing adequate time for Town review) to go over Town comments, concerns, and requests in detail. GHD will not proceed with the services associated with this allowance without first obtaining the Town's written consent to move forward.



The cost for the Task 2 allowance is \$13,740.00.

2.4 Task 3 – Regulatory Authorization for Seawall Replacement

The entirety of the Mid-Town seawall identified for replacement resides east (seaward) of the Coastal Construction Control Line (CCCL). This is a line of regulation, with the Florida Department of Environmental Protection (FDEP) the responsible agency to consider, process and issue a CCCL Permit for the replacement seawall and associated activities.

2.4.1 Agency Coordination

Once the GHD Team achieves approval from the Town of the 30% design documents, GHD will contact the CCCL Program Administrator, Environmental Administrator, and Permit Manager to discuss the anticipated Project components. The most appropriate regulatory authorization to obtain from FDEP for the Seawall Replacement Project appears to be to pursue major reconstruction as defined in 62B-33, Florida Administrative Code. The level of protection afforded to Ocean Boulevard, the hurricane evacuation route and the eligible structure that the seawall principally serves to protect, must be the same as the 'original' design to be considered for major reconstruction. This warrants further dialogue with FDEP Staff prior to submittal of a formal CCCL Application, as the processing for this Project should not be complicated. Plan and cross-section drawings sufficient to describe the replacement seawall (prepared as part of Task 2) will be included as exhibits to aid in the discussion.

It is recommended that a Pre-Application Meeting be conducted at the FDEP offices in Tallahassee. The Town's Coastal Program Manager will attend in person, with key GHD Team staff participating via telecom/webinar, to discuss the Project with the FDEP and the Florida Fish & Wildlife Conservation Commission (FWC). GHD will organize, prepare for, and lead this Pre-Application Meeting. Discussion as to the level of repair/replacement FDEP Staff believes is warranted as well as a confirmation of the permit application fee will be accomplished. A meeting summary report will be prepared and transmitted to the Town within three business days of the meeting.

2.4.2 CCCL Permit Application Preparation and Submittal

Utilizing the site-specific survey and the 30% design development documents prepared by the Team, GHD will act as the authorized Agent for the Town of Palm Beach as Owner of Record of the Mid-Town Seawall. GHD will complete DEP Form #73-100 Application for a Permit for Construction Seaward of the Coastal Construction Control Line and all applicable attachments/items of inclusion with the form. The Mid-Town seawall is located seaward of the Coastal Construction Control Line - as is Ocean Boulevard, which serves as the hurricane evacuation route and is the eligible structure the seawall serves to protect. By pursuing the regulatory authorization as major reconstruction, the vulnerability determination is exempt from the submittal and processing requirements.

An integral component of the CCCL Permit Application is the delineation of significant habitats (i.e., beach, dunes, and vegetation – which will be captured in sufficient detail in the Task 1 topographic survey field work) and presence / absence of protected species within the area of anticipated effect from construction activities. As part of the permitting process, the GHD Team shall coordinate with sea turtle and shorebird monitoring professionals to ascertain the distribution and frequency of use of significant resources in the Project area. As part of the application package, the GHD Team shall prepare and submit a summary report of findings and shall include recommendations for mitigative activities and



protective measures that can be implemented to avoid or minimize impacts to sensitive natural resources.

The Town shall be responsible for payment of the CCCL permit application/processing fee (which, subject to verification by FDEP staff, is approximately \$29,000).

2.4.3 Processing and Approval of CCCL Application

By conducting a Pre-Application Meeting and establishing a mutual understanding as to the expectations and timelines for review and processing, coupled with the GHD Team's familiarity with the application process, as well as FDEP Staff who will be considering the application, it is anticipated that the FDEP will submit a single Request for Additional Information (RAI) prior to deeming the application complete. However, it is impossible to predict the level of review comments that may be generated by the FDEP (and whatever comments regarding marine turtles and shorebirds may be asked by the FWC). For this reason, we are proposing an allowance budget to assist the Town in responding to agency comments beyond the GHD-prepared (and Town approved) response to the initial RAI. The permitting task 'base' budget may or may not be sufficient to respond to the comments, depending on the nature of the comments generated. We will not exceed the allowance amount without receiving written authorization of a subsequent scope and fee from the Town.

Upon notification by the FDEP that the application has been deemed complete, GHD will track issuance of the permit and will immediately review Special Permit Conditions that will pertain to the Project. Although not anticipated, any conditions deemed onerous to the Town will be discussed with FDEP Staff within one week of receipt of the Final Order to determine if the FDEP will consider revision. GHD will adhere to the reporting and notification requirements of the permit as appropriate (e.g., Notice of Commencement of Construction; Progress Reports during construction; Final Certification).

Deliverables

The following deliverables for the regulatory authorization for the seawall replacement will be provided as a result of the efforts described in Task 3 of this Scope of Services:

- FDEP Pre-Application Meeting Summary Report
- Summary Report of Significant Natural Resources and Mitigation / Protection Measures
- Coastal Construction Control Line (CCCL) Permit Application and supporting files
- Respond to one Request for Additional Information from FDEP
- CCCL Permit (issued by FDEP)

The total cost for **Task 3** services is **\$47,801.06**.

Task 3 Allowance

The Task 3 allowance includes a single response to a second agency RAI, if required. Although the level of effort and content of a second (potential) RAI is unknown at this time, we have included a labor hour allocation to provide responses as might be needed to enable FDEP to deem the application complete and thereby allow them to process the file. GHD will not proceed with a second RAI response without first obtaining the Town's written consent to move forward.



The cost for the Task 3 allowance is \$12,253.78.

2.5 Task 4 – Bid Phase Services

Upon Town acceptance of the final design documents, receipt of the issued Final Order from the FDEP for the CCCL permit, and upon notification that the Town wishes to advertise the Project for competitive bidding, the GHD Team will assist the Town with the bid advertisement. This support will include providing the construction drawing set (which will include both cantilevered and tie-back alternatives), the technical and environmental specifications (engineering design standards), the Schedule of Values, the geotechnical report, the issued CCCL permit, and other reports acquired or assembled by the Team that would be useful information for prospective bidders to evaluate and submit quotes on the Project. All of the anticipated submittal components to be provided to the Town by GHD have been identified in the tasks described previously. The Town will prepare the 'front-end' documents to the bid package.

Following formal advertisement by the Town, the GHD Team will prepare for and participate in a Pre-Bid Conference (anticipated at this time to be mandatory), during which a summary presentation of the Project will be given. The GHD Team representatives (which will include the GHD Project Manager, Deputy Project Manager and Senior Structural Engineer) will respond to those questions posed by prospective bidders that can be definitively answered at the meeting and will note those questions and clarifications that are posed that cannot be directly addressed, but which will need to be accommodated into a Bid Addendum or through the issuance or responses to Requests for Information (RFI's).

Upon receipt of bids, the GHD Team will provide support to Town Staff to assist with evaluation of the submittals. Services include preparing a bid tabulation and a recommendation of award memorandum. Upon formal award of a contract to the lowest responsive, responsible bidder, the GHD Team will prepare and transmit sets of Conformed Drawings and Specifications to the Town and the selected Contractor to support the construction of the replacement seawall and all appurtenant elements.

Deliverables

The following deliverables for the replacement seawall bid phase services will be provided as a result of the efforts described in Task 4 of this Scope of Services:

- Bid Documents (Plans, Specifications, Schedule of Values) – prepared under Task 2
- Pre-Bid Conference PowerPoint presentation
- Bid Tabulation
- Recommendation of Award Memorandum
- Conformed Drawings and Specifications

The total cost for **Task 4** services is **\$28,113.10**.



3. Summary of Project Costs

The following table presents the summary of costs associated with the Town of Palm Beach Mid-Town Seawall Replacement Project – Design, Permitting and Bid Phase Scope of Services as developed by GHD Inc.

Town of Palm Beach, FL RFQ No. 2020-05
Mid-Town Seawall Design & Construction Management Services
Summary of Estimated Project Costs

Description	Estimated Base Services Cost	Estimated Allowances Cost
PHASE I – MID-TOWN SEAWALL REPLACEMENT DESIGN & PERMITTING		
Task 1 Summary – Baseline Investigations & Kickoff Meeting	\$102,337.11	N/A
Kick-Off Meeting	\$6,126.55	
Data Review	\$21,048.56	
Topographic Survey	\$26,590.00	
Geotechnical Investigation	\$48,572.00	
Task 2 Summary – Seawall Engineering Design Services (Excluding Supplemental Service Allowances)	\$455,276.05	\$13,740.00
Preliminary Seawall Design Phase (30% Drawings)	\$82,714.00	
Cantilever and Tie-Back Seawall Design Plans & Submittals (90% and 100%) Through Final	\$372,562.05	
Task 3 Summary – Regulatory Authorizations (Excluding Supplemental Service Allowances)	\$47,801.06	\$12,253.78
Task 4 Summary – Seawall Bid Document Preparation & Contractor Evaluation Support Services	\$28,113.10	N/A
Phase I Total Estimated Costs	\$633,527.32	\$25,993.78
PHASE II – CONSTRUCTION PHASE SERVICES (To Be Provided to the Town Later)		
Review of Contractor Submittals	TBD	
Construction Inspection, Meetings / Coordination, Document Reviews, Reporting	TBD	
Phase II Total Estimated Costs	TBD	

July 28, 2020



about GHD

GHD is one of the world's leading professional services companies operating in the global markets of water, energy and resources, environment, property and buildings, and transportation. We provide engineering, environmental, and construction services to private and public sector clients.

Michael Barnett, PE, D.CE
michael.barnett@ghd.com
251.300.1250

Craig Kruempel
craig.kruempel@ghd.com
561.609.7356

www.ghd.com



APPENDIX A

Town Approved GHD Team 2020 Rate Schedule

GHD Inc. Labor Category	July 27, 2020 Approved Hourly Rate
Principal	\$250.00
Senior Engineer (Geotechnical)	\$250.00
Senior Engineer (Structural)	\$250.00
Project Manager	\$235.00
Senior Engineer	\$200.00
Senior Scientist	\$200.00
Mid Engineer	\$145.19
Mid Scientist	\$140.41
Contract Management	\$136.55
Mid Geologist	\$127.00
Junior Engineer	\$99.00
Senior CADD	\$123.50
Technical Editor	\$95.00
Driller	\$100.00
Junior Geologist	\$100.00
GIS	\$78.41
Junior Scientist	\$78.41
Administration & Accounting	\$90.00
Junior CADD	\$85.00
Technician	\$85.00



Terraquatic, Inc.
Commercial rate schedule

February 27, 2020

Description	Rate
	Reg
2-Person Topo	\$118.00
3-Person Topo	\$153.00
4-Person Topo	\$170.00
1-Person GPS	\$117.00
2-Person GPS	\$163.00
3-Person GPS	\$216.00
4-Person GPS	\$273.00
2-Person Hydro	\$218.00
3-Person Hydro	\$255.00
Survey Tech	\$75.00
Computer	\$82.00
Cadd	\$95.00
PSM	\$150.00
PM	\$130.00
Clerical	\$65.00
Per Diem	NA

Speciality Equipment Rates
Multibeam System \$950 per day
SSS System \$223 per day
MAG System \$157 per day



APPENDIX B

Proposed Project Schedule



GHD Inc. understands that the Town of Palm Beach has indicated that a milestone based schedule shall be developed during the Kickoff Meeting. The following proposed schedule is included herein for planning purposes only and shall be revised based on input from the Town and GHD.

Town of Palm Beach Mid-Town Seawall Design & Construction Management Services

GHD, Inc. Estimated Project Schedule

Schedule assumes that GHD Inc. Contract will be approved at an August, 2020 Town Council Meeting

Schedule assumes that Notice to Proceed and Purchase Order will be issued by the Town on (or before) September 01, 2020

Description	Days	Start	Completion
PHASE I – MID-TOWN SEAWALL REPLACEMENT DESIGN & PERMITTING	433	09/01/20	11/08/21
Task 1 – Baseline Investigations & Kickoff Meeting	94	09/01/20	12/04/20
Project Plan Development & Project Kick-Off Meeting	14	09/01/20	09/15/20
Site Information - Data Review / Due Diligence / Basis of Design	30	09/15/20	10/15/20
Specific Purpose Survey & Reporting	30	09/15/20	10/15/20
Geotechnical Investigation - Sampling and Analyses	80	09/15/20	12/04/20
Dune Vegetation & Cultural Resource Surveys & Reporting (if required)	21	09/15/20	10/06/20
Task 2 – Seawall Engineering Design Services	295	12/04/20	09/25/21
Coastal Engineering Assessment	45	12/04/20	01/18/21
Thirty (30) Percent Design Development & Submittal	90	01/14/21	04/14/21
Town Review of Thirty (30) Percent Design	14	04/14/21	04/28/21
Ninety (90) Percent Design Development & Submittal	90	04/29/21	07/28/21
Town Review of Ninety (90) Percent Design	14	07/28/21	08/11/21
One Hundred Percent (100%) Design Document Development & Submittal	45	08/11/21	09/25/21
Task 3 – Regulatory Authorization (Agency Coordination From Baseline Survey Phase through Permit Issuance)	330	10/21/20	09/16/21
Task 4 – Seawall Bid Document Preparation & Contractor Evaluation Support Services	60	09/09/21	11/08/21
PHASE II – CONSTRUCTION PHASE SERVICES (To be provided to the Town at a later date)	TBD	TBD	TBD
Review of Contractor Submittals	TBD	TBD	TBD
Construction Inspection, Meetings / Coordination, Document Reviews, Reporting	TBD	TBD	TBD

July 28, 2020



APPENDIX C

Detailed Cost Estimate

Town of Palm Beach, FL RFQ No. 2020-05 Mid-Town Seawall Design & Construction Management Services	PHASE I – MID-TOWN SEAWALL REPLACEMENT DESIGN & PERMITTING																								
	Task 2 Detail – Seawall Engineering Design Services																								
	Cantilever and Tie-Back Seawall Design Plans & Submittals (90% and 100%) Through Final																								
GHD Inc. Detailed Cost Estimate																									
 July 28, 2020	Construction Plans & Drawings																								
	Final Structural Design Calculations				Cover Sheet		General Notes (2 Sheets)		Site Plan / Wall Layout / Plan & Elevations (6 Sheets each alternative)		Demolition, Phasing and Sequence of Construction (6 Sheets each alternative)		Upland Restoration Details (2 Sheets each alternative)		Typical Wall Section and Details (2 Sheets)		Termination / Connection Details (2 Sheets each alternative)		Tunnel Facade Connection Details (1 Sheet)		Groin Connection Details (2 Sheets)		Bathroom Building Connection Details (1 Sheet)		
BILLING CATEGORY	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	
GHD, INC.																									
Principal Manager	8.0	\$1,880.00	0.5	\$117.50	2.0	\$470.00	8.0	\$1,880.00	2.0	\$470.00	2.0	\$470.00	4.0	\$940.00	2.0	\$470.00	8.0	\$1,880.00	2.0	\$470.00	8.0	\$1,880.00	2.0	\$470.00	
Principal	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Senior Engineer	16.0	\$3,600.00	-	\$0.00	6.0	\$1,200.00	24.0	\$4,800.00	18.0	\$3,600.00	8.0	\$1,600.00	8.0	\$1,600.00	4.0	\$800.00	8.0	\$1,600.00	4.0	\$800.00	12.0	\$2,400.00	6.0	\$1,200.00	
Senior Scientist	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Senior Engineer (Structural)	24.0	\$6,000.00	0.5	\$125.00	2.0	\$500.00	48.0	\$12,000.00	24.0	\$6,000.00	24.0	\$6,000.00	6.0	\$1,500.00	6.0	\$1,500.00	16.0	\$4,000.00	6.0	\$1,500.00	12.0	\$3,000.00	12.0	\$3,000.00	
Senior Engineer (Geotechnical)	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Mid Geologist	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Driller	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Technician (2 Professionals - Rate per Person)	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Senior Engineer	16.0	\$20,800.00	-	\$0.00	16.0	\$3,200.00	48.0	\$9,600.00	36.0	\$3,600.00	16.0	\$3,200.00	16.0	\$3,200.00	4.0	\$956.00	16.0	\$3,200.00	4.0	\$956.00	12.0	\$2,400.00	16.0	\$3,200.00	
Senior Engineer	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Senior CAD/D	-	\$0.00	2.0	\$247.00	12.0	\$1,482.00	120.0	\$14,820.00	120.0	\$14,820.00	48.0	\$5,828.00	24.0	\$2,964.00	64.0	\$7,904.00	16.0	\$1,976.00	32.0	\$3,952.00	16.0	\$1,976.00	16.0	\$1,976.00	
Contract Management	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Technical Editor	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Administration & Accounting	4.0	\$360.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
TOTAL LABOR COST				158.0	\$32,640.00	3.0	\$489.50	38.0	\$6,852.00	236.0	\$35,654.00	120.0	\$20,122.00	56.0	\$9,330.00	140.0	\$22,428.00	80.0	\$14,028.00	40.0	\$6,742.00	80.0	\$14,028.00	52.0	\$9,846.00
TEAMING PARTNER																									
Terraquatic, Inc.																									
Professional Surveyor & Mapper	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Project Manager	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
CADD Operator	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Clerical	-	\$65.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Baseline Design & Permitting Location Survey (Lump Sum)	-	\$19,770.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
2 - Person GPS Survey Crew (Hourly)	-	\$160.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Terraquatic, Inc. Total	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
TOTAL EXTERNAL SUBCONTRACTOR				-	\$0.00	-	\$0.00	-	\$190.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
TRAVEL																									
GHD Travel (Per Trip)	-	\$1,650.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
TOTAL TRAVEL COSTS				-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
EQUIPMENT & TESTING																									
Soil Classification	-	\$175.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Unconfined Compressive Test	-	\$200.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Casting (feet)	-	\$6.75	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Rock Core	-	\$250.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Core Barrel Rental	-	\$100.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
GPS Equipment	-	\$250.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Schmidt Metal Detector	-	\$125.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
MOT	-	\$1,500.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
GROUT	-	\$3.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
TOTAL EQUIPMENT				-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
OTHER DIRECT COSTS																									
Shipping	-	\$25.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Reproduction - B&W	-	\$0.05	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Reproduction - Color	-	\$0.50	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Reimbursable Expense Allowance	-	\$1.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
Misc. Equip & Supplies	-	\$25.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	
TOTAL OTHER DIRECT COSTS				-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
GRAND TOTAL				-	\$32,640.00	-	\$489.50	-	\$6,852.00	-	\$35,654.00	-	\$20,122.00	-	\$9,330.00	-	\$22,428.00	-	\$14,028.00	-	\$6,742.00	-	\$14,028.00	-	\$9,846.00

Town of Palm Beach, FL RFQ No. 2020-05 Mid-Town Seawall Design & Construction Management Services				PHASE I – MID-TOWN SEAWALL REPLACEMENT DESIGN & PERMITTING																			
GHD Inc. Detailed Cost Estimate				Task 2 Detail – Seawall Engineering Design Services																			
  July 28, 2020				Cantilever and Tie-Back Seawall Design Plans & Submittals (90% and 100%) Through Final												Allowance 2.1 - Meetings with Town One after each Phased 30%, 90%, Final Submittal (Total of 3, 2 Hour Meetings)							
				Construction Plans & Drawings				Technical / Environmental Specifications		Submit 90% and 100% (Final) Plans, Respond to Comments		Prepare 90% and 100% (Final) Opinion of Probable Costs		Monthly Progress Meetings (Assume 12 - 1 Hour Meetings)									
				Clock Tower Details (1 Sheet)		Sewer Outfall Details (1 Sheet each alternative)		Stair & Access Gate Plan, Section & Details (4 Sheets)		Construction Details (2 Sheets each alternative)		SubTask Units		SubTask Cost				SubTask Units		SubTask Cost			
BILLING CATEGORY	2020 RATE	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost	SubTask Units	SubTask Cost						
GHD, INC.																							
Project Manager	\$235.00	2.0	\$470.00	2.0	\$470.00	4.0	\$940.00			8.0	\$1,880.00	12.0	\$2,820.00	24.0	\$5,640.00	12.0	\$2,820.00						
Principal	\$250.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	2.0	\$500.00	6.0	\$1,500.00	6.0	\$1,500.00						
Senior Engineer	\$200.00	6.0	\$1,200.00	8.0	\$1,600.00	12.0	\$2,400.00	12.0	\$2,400.00	8.0	\$1,600.00	4.0	\$800.00	12.0	\$2,400.00	6.0	\$1,200.00						
Senior Scientist	\$250.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	2.0	\$500.00	4.0	\$800.00	6.0	\$1,200.00						
Senior Engineer (Structural)	\$250.00	12.0	\$3,000.00	16.0	\$4,000.00	16.0	\$4,000.00	12.0	\$3,000.00	8.0	\$2,000.00	4.0	\$800.00	12.0	\$3,000.00	6.0	\$1,500.00						
Senior Engineer (Geotechnical)	\$250.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00						
Mid Geologist	\$172.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00						
Driller	\$100.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00						
Technician (2 Professionals - Rate per Person)	\$99.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00						
Junior Engineer	\$99.00	4.0	\$396.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00						
Senior Engineer	\$200.00	16.0	\$3,200.00	16.0	\$3,200.00	16.0	\$3,200.00	32.0	\$6,400.00	32.0	\$6,400.00	24.0	\$4,800.00	-	\$0.00	-	\$0.00						
GIS	\$78.41	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00						
Senior CADD	\$153.50	16.0	\$1,976.00	32.0	\$3,952.00	48.0	\$5,928.00	48.0	\$5,928.00	32.0	\$3,952.00	-	\$0.00	-	\$0.00	-	\$0.00						
Contract Management	\$136.55	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00						
Technical Editor	\$95.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	24.0	\$2,280.00	1.0	\$136.55	-	\$0.00						
Administration & Accounting	\$90.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	6.0	\$570.00						
TOTAL LABOR COST				56.0	\$10,242.00	74.0	\$13,222.00	96.0	\$16,468.00	130.0	\$21,118.00	250.0	\$39,352.00	92.0	\$16,732.00	60.0	\$10,384.00	87.0	\$18,452.55	78.0	\$16,080.00	42.0	\$8,790.00
TEAMING PARTNER																							
Terraquatic, Inc.																							
Professional Surveyor & Mapper	\$160.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	2.0	\$320.00	4.0	\$640.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
Project Manager	\$160.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	2.0	\$320.00	4.0	\$640.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
CADD Operator	\$95.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
Chrical	\$65.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
Baseline Design & Permitting Location Survey (Lump Sum)	\$10,770.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
2 - Person GPS Survey Crew (Hourly)	\$160.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
Terraquatic, Inc. Total				-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	4.0	\$640.00	8.0	\$1,280.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
TOTAL EXTERNAL SUBCONTRACTOR																							
TRAVEL																							
GHD Travel (Per Trip)	\$1,650.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
TOTAL TRAVEL COSTS																							
EQUIPMENT & TESTING																							
Soil Classification	\$17,500	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
Laboratory Testing	\$500.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
Unconfined Compressive Test	\$200.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
Casing (feet)	\$6.75	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
Rock Core	\$250.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
Core Barrel Rental	\$100.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
GPR Equipment	\$250.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
Schneidmet Metal Detector	\$125.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
MOT	\$1,500.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
GROUT	\$3.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
TOTAL EQUIPMENT																							
TOTAL EQUIPMENT																							
OTHER DIRECT COSTS																							
Shipping	\$25.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	2.0	\$50.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
Reproduction - B&W	\$0.05	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	900.0	\$45.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
Reproduction - Color	\$1.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	150.0	\$75.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
Reimbursable Expense Allowance	\$11.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
Misc. Equip & Supplies	\$25.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	1.0	\$25.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00	-	\$0.00
TOTAL OTHER DIRECT COSTS																							
GRAND TOTAL																							
				</																			

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TCM Backup 08-11-20

Mid-Town Seawall Design & Construction Management Services (RFQ No. 2020-05)

Presented to the Town of Palm Beach, Florida

June 22, 2020

Agenda

Overview of GHD Team

1

Strategy & Approach

2

Project Experience

3

Questions & Answers

4



1.

Overview of GHD Team

Team Introduction



Steven Davie, PE, D.CE

Sr. Coastal Engineer, GHD Principal; Steven brings over 25 years in coastal engineering Project Management.

➤ steven.davie@ghd.com



Michael Barnett, PE, D.CE

Project Manager; Mike brings over 35 years of coastal engineering and project management experience to the Team.

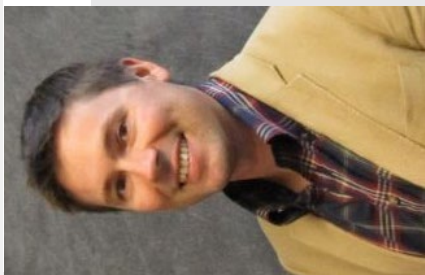
➤ michael.barnett@ghd.com



Craig Lewis, PE, SE

Sr. Structural Engineer, GHD Principal; Craig brings over 27 years of design and analysis of structural elements for port and maritime infrastructure.

➤ craig.lewis@ghd.com



Jesse Davis, PE, Env SP

Coastal Engineer; Jesse brings over 15 years of coastal engineering experience.

➤ jesse.davis@ghd.com



Craig Kruempel

Sr. Marine Scientist; Craig brings over 35 years of coastal zone planning, permitting and monitoring experience.

➤ craig.kruempel@ghd.com



Ken Jackson, PSM

Surveyor & Mapper; Ken brings over 42 years expertise in hydrographic & remote sensing surveys, large scale wave current and tide studies.

➤ ken@terraquatic.net

GHD at a glance

Our Core Values: Safety | Teamwork | Respect | Integrity





Our Understanding



The GHD Team recognizes the importance of thoroughly understanding the Town's preferences and needs for project delivery and efficient communication.

Our Team is fully committed to the Town.



Effective Project Management | Michael Barnett



Michael Barnett, PE, D.CE

Mr. Barnett has worked both for, and with, the Town since 1995.

He knows the Town's structure and expectations for quality, schedule, and price.

As Project Manager, Mr. Barnett will lead the GHD Team through the entirety of the design, permitting, bid and construction phase services with the Town. Mike will be responsible for establishing the project scope of services, schedule, deliverables, workload distribution and adherence to cost controls. Mike will provide quality control and final confirmation reviews on all design and work products produced by the GHD Team. Mike will communicate directly with the Town on all Project matters.

Town Experience

- ✓ Mid-Town Beach Restoration Project - 1995-1996
- ✓ Lake Worth Inlet Management Plan (sand transport, sand transfer to Palm Beach Island) – 1995
- ✓ Comprehensive Coastal Management Plan Update (understand entire shoreline) – 1997-1998
- ✓ Sand Transfer Plant Improvements, Inlet Maintenance Dredging, Mid-Town and Phipps Nourishment Project (permitting); interactions with the Shore Protection Board – 2003-2011
- ✓ Reach 2 Dune Forepassing Project (design and permitting) - 2017



Education

BS, Ocean Engineering
MS, Coastal & Oceanographic Engineering



Licenses/Registration

Professional Civil Engineer – Alabama, **Florida**, Louisiana, Mississippi and Texas



Memberships/Affiliations

- ✓ Diplomat, Coastal Engineering from the Academy of Coastal, Ocean, Port & Navigation Engineers (ACOPNE)
- ✓ Member of the American Society of Civil Engineers
- ✓ Member of the American Shore & Beach Preservation Association; Member of the Florida Shore & Beach Preservation Association
- ✓ Member of the Society of American Military Engineers, Mobile, AL Post



Team Organization



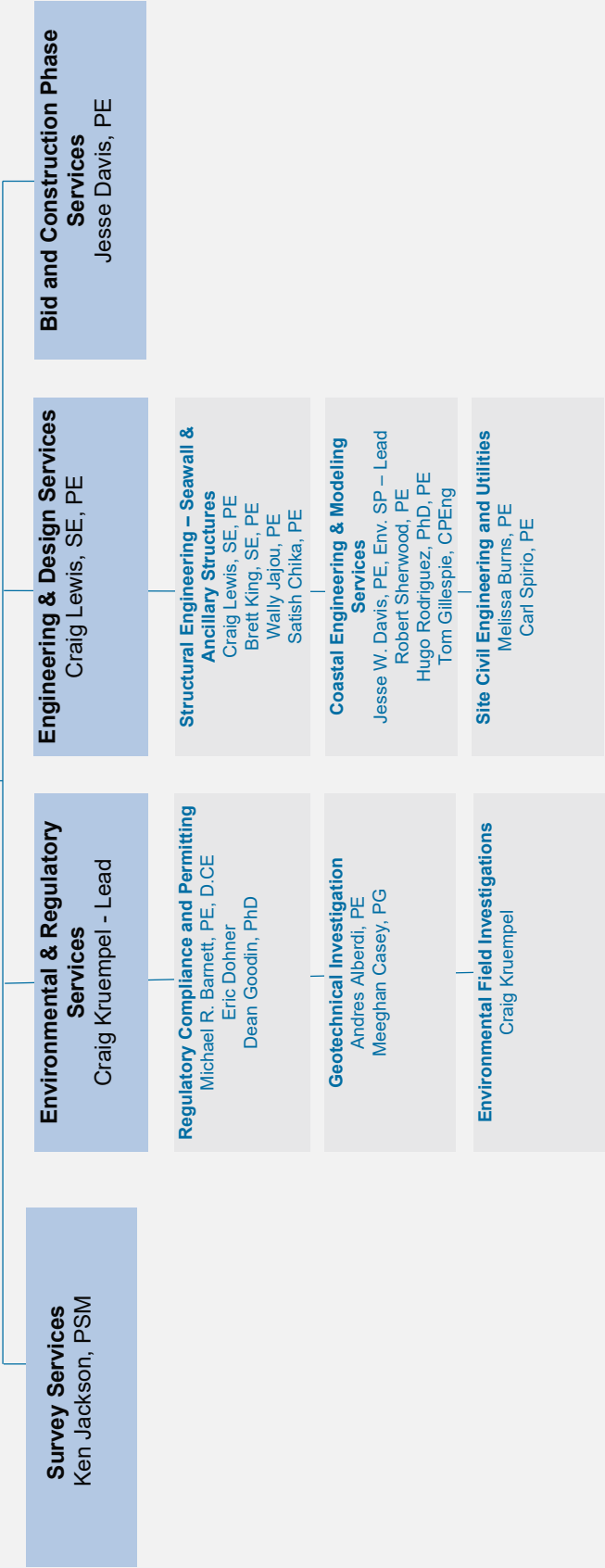
Michael R. Barnett
PE, D.CE
Project Manager



Steven Davie
PE, D.CE
Firm Principal



Jesse W. Davis,
PE, Env. SP
Deputy Project Manager



What Makes Our Team the Best Choice?

TCM Backup 08-11-20

Core Team locally based that understands the Town's goals



Established history working on Town projects



Experienced design professionals ensure Project success



Proven Performance



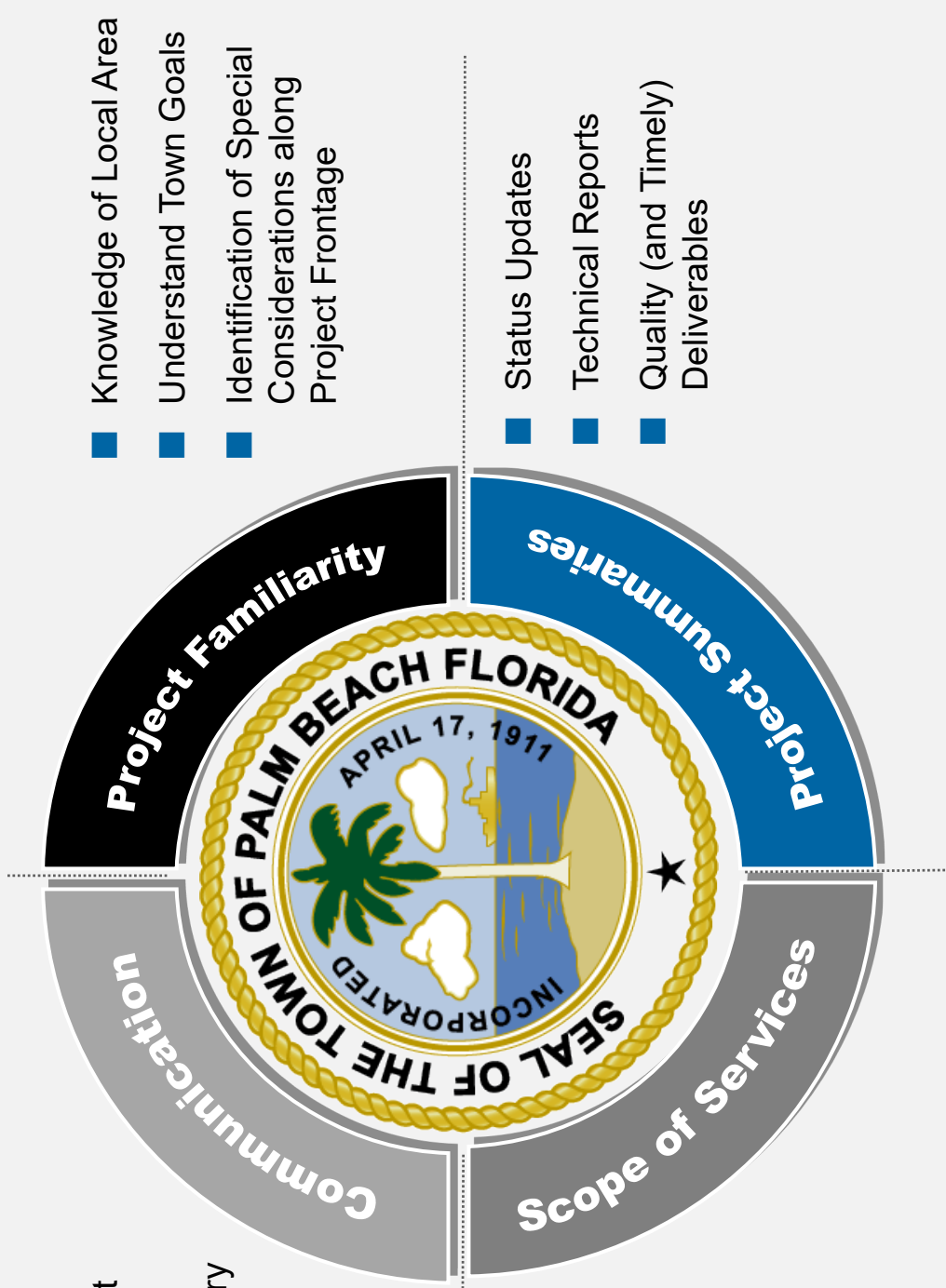
Extensive Institutional Knowledge of the Town!

Overview of GHD

Keys to Success

TCM Backup 08-11-20

- Continuous Throughout Project
- Stakeholders/Regulatory Agencies
- GHD Project Team
- Vetted Scope of Work with Town Staff
- Multiple Service Lines under one Roof
- Accurate Work Plan/Estimates



2.

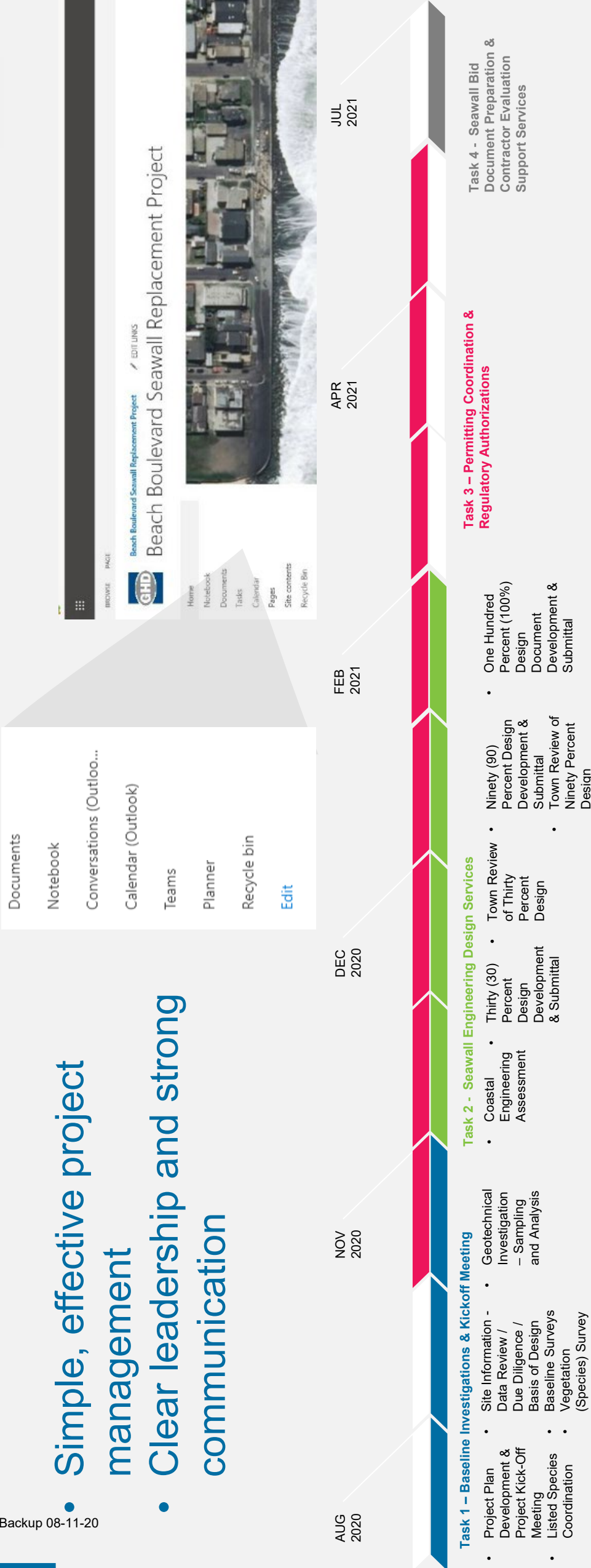
Strategy & Approach



Project Approach & Scope Overview

TCM Backup 08-11-20

- Simple, effective project management
- Clear leadership and strong communication



Project Expertise | Both Sides of the Seawall

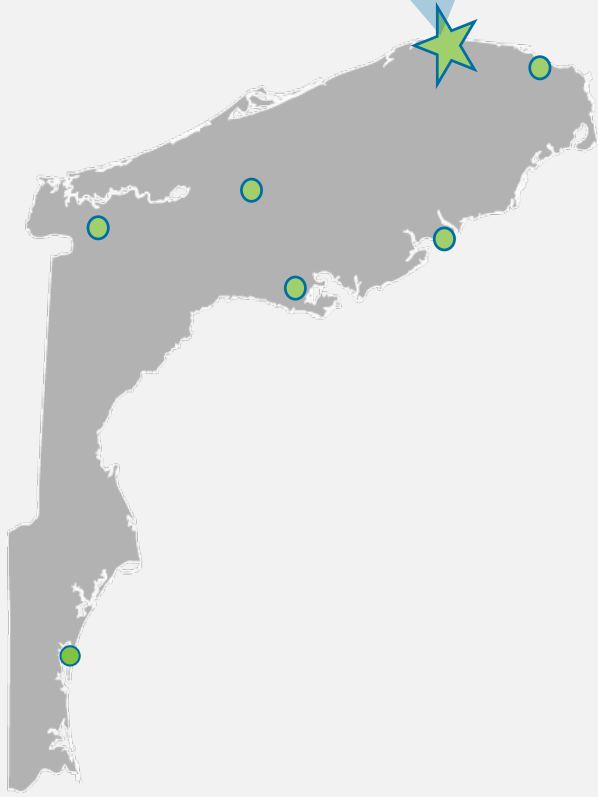
- Identification of design consideration areas along 0.5 mile Project frontage
- Mid-Town Beach Project (inclusive of groins tied to face of wall)
- No learning curve or spin-up time needed – ready to GO

TCH Backup 08-11-20



Project Expertise | Design & Permitting of Seawalls

TCM Backup 08-11-20



Knowledge of FDEP CCCCL Program requirements AND their key decision-makers



Recent experience in the Town and in the SE working with FDEP and marine contractors to implement relevant and effective designs



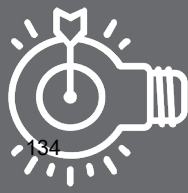
Project Considerations

- ✓ Evaluate cantilever wall design – greatly reduces landside considerations
- ✓ Determine viability of construction from beach side of existing wall
- ✓ Maintenance of Traffic
- ✓ Provision of access to Mid-Town public beach, continuity of services and protection (i.e., Ocean Rescue)
- ✓ Sequencing and logical progression of wall construction



Design Considerations

1. Groin tie-ins to seawall
2. Dune vegetation
3. Buried toe scour walls and stone
4. Access stairs & ramps to beach
5. Tunnel at 100 Worth Avenue
6. Emergency Vehicle access ramp/gate
7. Lifeguard Station/Restroom Facility
8. Ocean outfall/vault
9. Worth Avenue Clock Tower
10. Existing wall tie-back rods and anchors
11. Underground utilities
12. Parapet wall



GHD has communicated with the **Woods Hole Group** and understands their contributions to the Town.





Seawall

Photo courtesy of Kimley-Horn & Associates, Inc.
May 1, 1948



Project Shoreline - January 1995, prior to construction of the Mid-Town Beach Restoration Project.

Minimal beach seaward of the wall.

Image U.S. Geological Survey (Imagery Date: 1/25/1995)

Google Earth



TCM Backup 08-11-20

137

Imagery Date: 12/14/2017



3.

Project Experience



REST BEACH SHORELINE ARMORING

Key West, Florida

Role: Provided services to the City as the Project Manager/Engineer of Record and Coastal Engineer

Project elements:

- ✓ Managing the collection of field data such as soil borings and topo/bathy survey data
- ✓ Storm erosion modeling to assess the vulnerability of Atlantic Blvd to scour during high frequency storm events
- ✓ Design and cost evaluations for two shoreline armoring alternatives,
- ✓ FDEP CCCL Permitting
- ✓ Preparation of construction drawings & specifications
- ✓ Construction phase services

TCM Backup 08-11-20



Design Experience and Expertise | Craig Lewis



Craig Lewis, PE, SE

Structural engineer with the assessment, design and analysis of marine terminals, waterfront and port infrastructure

Mr. Lewis has more than 27 years of experience in marine structural engineering for bulkheads, piers, and wharves. He has performed static and dynamic analyses and seismic analysis/design using non-linear pushover methods per ASCE 61; non-linear soil-structure interaction analysis using LPILE and SAP2000; and is experienced with design codes UFC, AISC, ACI, ASCE, IBC and USACE. Mr. Lewis has managed many waterfront projects including the San Francisco Marina West Harbor Renovation (\$26M construction) and Brannan Street Wharf-Port of SF (\$19.8M construction). Awards include the ACEC 2013 Honor Award – Brannan Street Wharf.

Experience Level

- ✓ Project Manager, Brannan Street Wharf Project | Port of San Francisco | San Francisco, CA
- ✓ Project Manager, San Francisco Embarcadero Seawall Vulnerability Study | Port of San Francisco | San Francisco, CA
- ✓ Restoring waterfront amenities after Hurricane Irma | City of Saint Marys, GA
- ✓ MSC Cruises Terminal Expansion at PortMiami | Miami, FL
- ✓ Pier Replacement | United States Coast Guard Station Buffalo | Lake Erie, Buffalo, NY



Education

BS, Civil Engineering, UC Davis, 1991



Licenses/Registration

Structural Engineer: CA #S4765, WA #42655;
Civil Engineer: CA #C58706, WA #42655



Proven Expertise

- ✓ Mr. Lewis has managed many waterfront projects including the San Francisco Marina West Harbor Renovation (**\$26M construction**) and Brannan Street Wharf-Port of SF (**\$19.8M construction**).
- ✓ Awards include the ACEC 2013 Honor Award – Brannan Street Wharf.



SEAWALL VULNERABILITY STUDY, PORT OF SAN FRANCISCO

San Francisco, California

Role: GHD performed an earthquake vulnerability study of the Northern Waterfront Seawall which extends approximately 4 miles from Fisherman's Wharf to AT&T Park along the Embarcadero.

Project elements:

- ✓ Assessment of available information and condition, state of the art engineering analysis
- ✓ Earthquake and Flooding vulnerability assessment
- ✓ Developed adaptation strategies for various scenarios.
- ✓ GHD provided overall project management for the study and performed conceptual design of the structural retrofit / rehabilitation alternatives for seawall sections with identified structural stability deficiencies.





P-204 WHARF IMPROVEMENTS (UNIFORM & TANGO) PHASE 1

Naval Base Apra Harbor, Guam

Role: Design-Build project provided infrastructure, wharf improvements, and new utilities at Tango Wharf, Apra Harbor, Guam to allow naval vessel berthing for "extended" transient ships, primarily, the Amphibious Readiness Group (ARG), its combatant escort ships and the Joint High Speed Vessels (JHSVs) required after relocation of the III Marines Expeditionary Force from Okinawa, Japan to Guam.

Project elements:

- ✓ GHD was the Designer of Record (DOR) and provided architecture, civil, environmental, structural, mechanical engineering Project management and Design Quality Control.
- ✓ Replacement bulkhead consisting of sheet pile combi-wall
- ✓ GHD also led the Concept Design Workshop and prepared both the complete project design submittals, as well as a critical path package concurrently.





BEACH BOULEVARD SEAWALL REPLACEMENT

City of Pacifica, California

Role: GHD is providing a full suite of services from project feasibility, concept design, design alternative analysis through to detailed design, construction documentation, and permitting.

Project elements:

Current Issues:

- ✓ Existing wall is experiencing structural failures, wave overtopping and flooding issues
- ✓ The seawall protects critical public infrastructure and public and private properties
- ✓ Replacement infrastructure must address complex challenges both physically in the coastal environment, and in the social and political environment

Our strategy includes:

- ✓ Clear leadership and open communication
- ✓ Coastal and structural engineering expertise
- ✓ Transparency and integrity





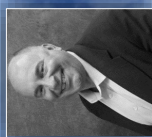
4.

Questions and Answers



TCM Backup 08-11-20

Question 1



The project manager/firm should present their specific approach in delivering the services detailed in the scope of work for the project.

- The Town will evaluate how well your approach demonstrates an understanding of the requirements of the project as well as the firm's ability to perform the scope as specified.
- The Town will evaluate your approach for correlation to the scope.
- The Town will evaluate the firm's approach to mobilization, transition, and the plan and schedule for executing the scope.
- The Town will assess the firm's overall approach to identifying and mitigating risk in implementing its approach



Answer:

- The GHD Team has provided a logical, sequential approach to the scope of work.
- The approach provided in our response to the RFQ and as briefly summarized today was based on our scope of services that was thoroughly vetted by Town staff in 2019.
- Our recognition of the design considerations along the Project frontage has us positioned to address these challenges and convert them to favorable solutions/outcomes.



Question 2

TCM Backup 08-11-20



➤ **Your proposal indicated that only 10 borings (@ 250' spacing) and 3 rock cores were to be performed. Please explain why you believe that is adequate.**

➤ **Answer:**

- The GHD Team discussed this matter at length with Town Staff in 2019. The number and spacing of the cores should be representative of sub-surface conditions and further, should provide adequate indications of the anticipated foundation conditions to inform the design of the replacement seawall.
- Our in-house geologists and geotechnical/ structural engineers, coupled with our field technicians and company owned drilling equipment, will efficiently conduct the field operations with little to no disruption to use of Ocean Boulevard and the amenities present along the Project shoreline.



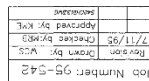
Question 3



➤ **How do the existing groins/PEP reefs impact the design, and can you describe the tie-in of those to the new seawall in more detail?**

➤ **Answer:**

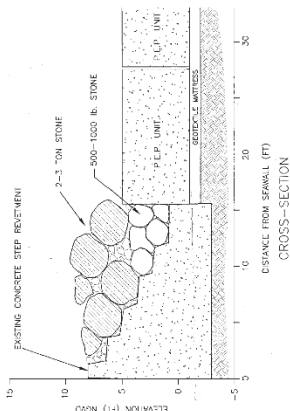
- Of the nine groins in the Project area, eight of them are comprised of PEP reef modules that are close to (but do not directly abut) the existing seawall.
- The PEP reef modules were placed approximately 3 feet seaward of the existing seawall face where the toe wall exists, and ~20 feet seaward of those locations that had a toe scour rock revetment in place.
- The ties of the PEP reef modules to the wall consist of precast concrete plugs at four locations, and rock riprap atop marine mattresses at the other five locations.
- Optimal seawall alignment is predicated on design considerations and existing challenges.



EXISTING ROCK REVETMENT

GROINS: S-5, S-6, S-7, S-8.

GROINS: S-2, S-3, S-4, S-9, S-10, S-11



EXISTING STEP REVETMENT

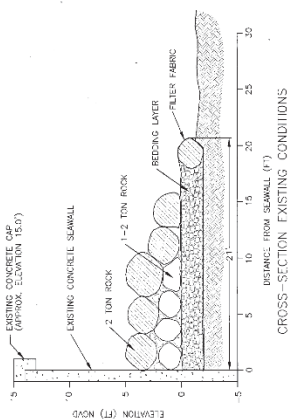
GROIN: S-1

NOTES:

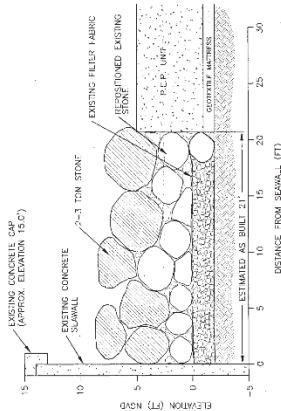
- 1) IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE NO DAMAGE OCCURS TO EXISTING EROSION CONTROL STRUCTURES. ANY DAMAGE SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE.
- 2) OWNER'S FIELD REPRESENTATIVE SHALL APPROVE ALL LANDWARD GROUT CONNECTIONS IN THE FIELD PRIOR TO CONTINUING GROUT CONSTRUCTION.
- 3) STORE DETAIL AND PLACEMENT REQUIREMENTS DETAILED IN CONTRACT SPECIFICATION.
- 4) WORK AT 5-1 MAY REQUIRE HAND EXCAVATION TO REACH EXISTING STOP REMENT.
- 5) NECESSARY PRECAUTIONS TO PREVENT DAMAGE TO EXISTING STRUCTURE.

EXISTING ROCK REVETMENT

GROINS: S-5, S-6, S-7, S-8.



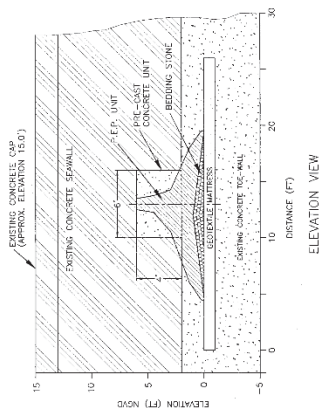
CROSS-SECTION EXISTING CONDITIONS



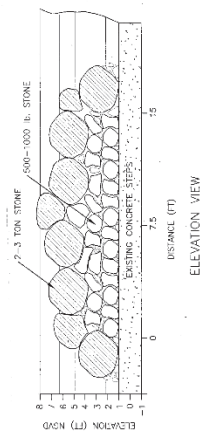
CROSS-SECTION PROPOSED IMPROVEMENTS

NOTES:

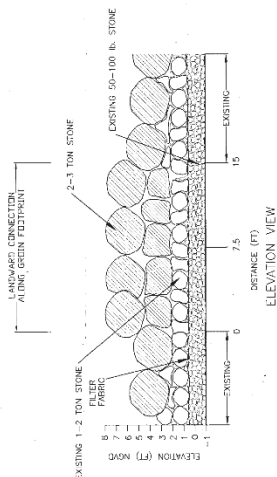
- 1) REPOSITION THE TOP LAYER OF EXISTING ARMOR STONE TO FORM A CONTINUOUS BOTTOM LAYER OF STONE.
- 2) ADD CHINKING STONE TO FILL SURFACE VOIDS OF BOTTOM LAYER.
- 3) PLACE REMAINING STONES WHICH WERE REMOVED FROM THE EXISTING RETENMENT AND ADDITIONAL 2-3 TON STONE TO FORM SECOND LAYER OF ARMOR STONE.



ELEVATION VIEW



ELEVATION VIEW

ELEVATION VIEW
SOURCE (FT)

APPLIED TECHNOLOGY & MANAGEMENT, INC.
2770 NW 43rd Street, Suite 8
Gainesville, Florida 32606
Phone (904) 375-8700
Telex 920000
Fax (904) 375-0995

Sheet #:

Question 4



➤ Is 15-year storm modeling typical for vulnerability determinations, and would you suggest a different storm interval be used?

➤ **Answer:**

- FDEP Rule 62B-33, Florida Administrative Code stipulates a 15-year storm event to determine vulnerability, so as far as CCCL permitting in Florida, such a threshold is what has been accepted as the State standard for regulatory authorization.
- The Mid-Town Seawall serves to protect Ocean Boulevard, which is considered by the FDEP to be an eligible structure. **Because the hurricane evacuation route resides entirely seaward of the Coastal Construction Control Line, the seawall is exempt from the vulnerability determination.**
- The Mid-Town shoreline is considered by FDEP to be a managed shoreline; therefore, FDEP could not authorize 'new' armoring.

Why GHD?

- Trusted partner with the Town
- Focused, dedicated Team
- In-house geotechnical staff and equipment
- Experience, qualifications, knowledge
- Successful design of ocean seawalls

Conclusion ➤





Thank you



Craig Lewis, PE, SE



Michael Barnett, PE, D.CE



Steven Davie, PE, D.CE



Kenneth Jackson, PSM



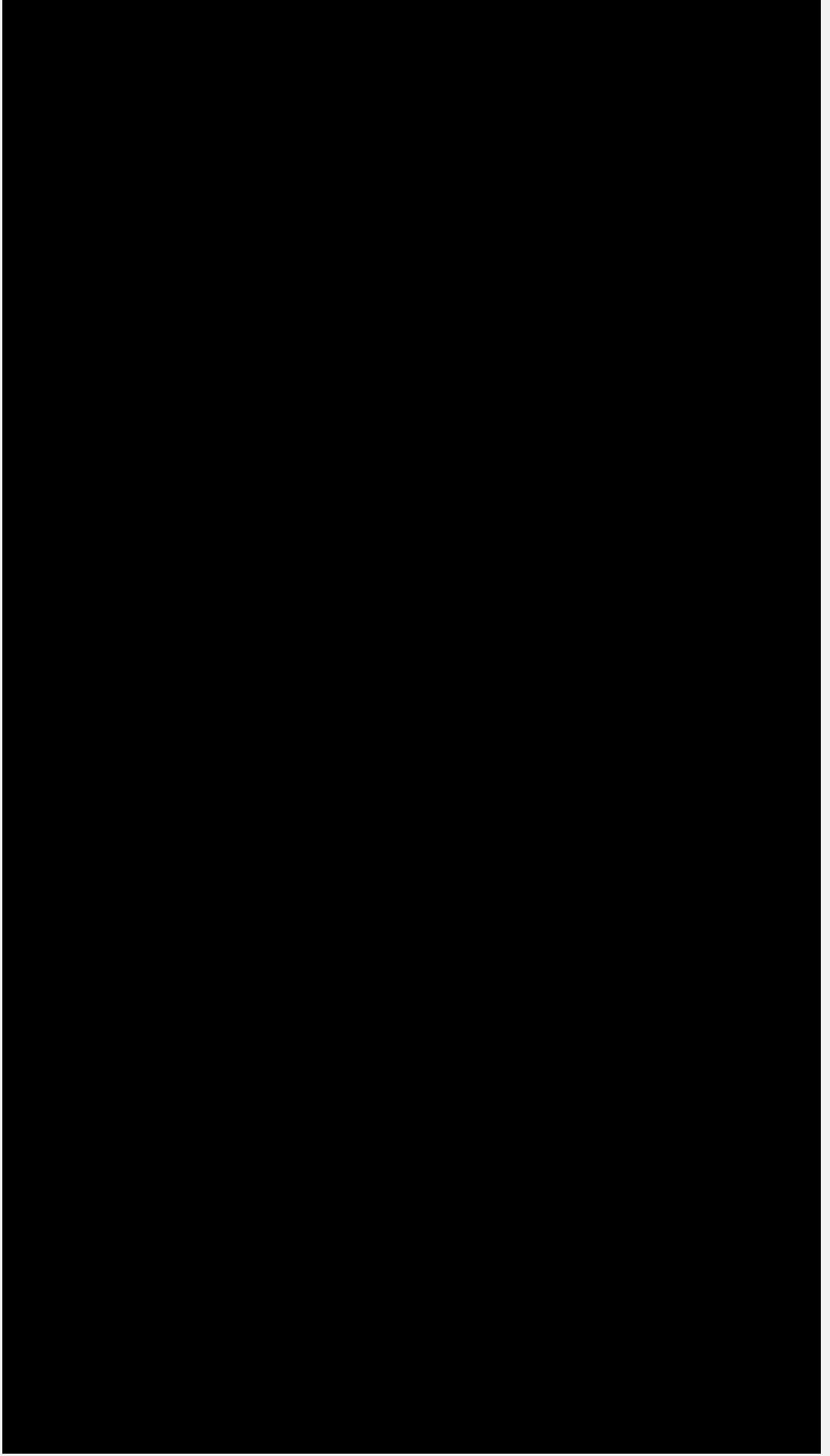
Craig Kruempel



Jesse Davis, PE, EnvSP

Silent Piler | Press-in Working Procedure

TCM Backup 08-11-20



TOWN OF PALM BEACH

Town Council Meeting on: August 11, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 61-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Selection Committee Recommendation for RFP No. 2020-12, Marina Software to Dockwa, Inc. in the amount of \$32,987 for the first year and then \$30,588 for each year after, for a proposed five year contract amount of \$185,927 contingent upon satisfactory vendor performance and budget authorization.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated July 23, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 61-2020**
- ▣ **Initial Selection Committee Ranking**
- ▣ **Ordinal Ranking After Oral Interviews**
- ▣ **Dockwa Enterprise Proposal**
- ▣ **Dockwa Presentation for Oral Interview**

TOWN OF PALM BEACH

Information for Town Council Meeting on August 11, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to Approve Selection Committee Recommendation for RFP No. 2020-12, Marina Software to Dockwa, Inc. in the amount of \$32,987 for the first year and then \$30,588 for each year after, for a proposed five year contract amount of \$185,927 contingent upon satisfactory vendor performance and budget authorization, **Resolution No. 61-2020**

DATE: 23 July 2020

STAFF RECOMMENDATION

Staff recommends that Town Council approve Selection Committee Recommendation for RFP No. 2020-12, Marina Software to Dockwa, Inc. in the amount of \$32,987 for the first year and then \$30,588 for each year after, for a proposed five year contract amount of \$185,927 contingent upon satisfactory vendor performance and budget authorizations.

GENERAL INFORMATION

Town Purchasing issued RFP No. 2020-12 for Marina Software to accommodate a reservation system to supplement scheduling of dockage at the Town's Marina.

The Scope of Services sought through the RFP included:

- Provide marina management software and any third - party software necessary for marina management functionality requirements.
- Provide services by experienced staff and experts to develop and execute an implementation plan for the system, to include migration of historical data to the new marina system.
- Provide services by experienced staff and experts to demonstrate the stability of the installations through testing, training, and final acceptance.

Proposers were required to provide the following:

- Proposers provided a detailed description of their Docks/Marina reservation system to request slip reservations, payment portal, invoicing, mobile point of sale and contract management with digital signatures and email receipts, accounting integration, maintenance & repair, online marina map, auto-email and SMS, email campaigns and

credit card processing.

- Marina Management Detail Requirements
 - o Ability to track slip data: Customer, slip size, vessel size, address, phone, rate, fees, etc.
 - o Ability to upload daily boat inventory, ideally from a handheld device including:
 - Whether the vessel is using electricity
 - What type of electricity vessel is using (i.e. 30Amp/110V or 220V or 3Phase, etc?)
 - Notes field for each slip to input vessel information or notate maintenance issues with the dock
 - o Ability to have transient moorage charges and recurring charges automatically calculated
 - o Ability to upload monthly meter readings from a handheld device and have charges automatically calculated
 - o Ability to track vacancies in leased slips, ideally from a handheld device
 - o Ability to track payment information and generate invoices for customers
 - o Income reporting by slip, dock, marina
 - o Ability to track the type of vessel in each slip
 - o Ability to generate statistical reports on slip occupancy, revenues by type of vessel, size of vessels compared to slip sizing, etc.
 - o Graphic representation of marina layout
 - Ability to view leased out/reserved slips & most recent hot slip inventory

Purchasing advertised the solicitation in the Town E-Bidding Software, Negometrix. The solicitation was published in DemandStar to 347 firms both in the US and in Europe. Twenty-five proposers began the process of submittals, of which, four submitted. The solicitation was also broadcast in the Palm Beach Post as required by State Statute and on the Town website.

The Selection Committee consisted of the following members:

Voting

Mike Horn, Dock Master

Charles Kapachinski, IT Manager

Amy Wood, Assistant Director, Finance

Patricia Strayer, Town Engineer

Non-Voting

Carolyn Stone, Director of Business Development and Operations

Jim Palmer, Assistant IT Manager

The Selection Committee initially ranked Dockwa as the second - ranked firm. After oral interviews, Dockwa was ranked number one and the vote was unanimous.

As part of the presentation made by Dockwa, they included the strategic element of marketing.

Marketing is a critical component of a successful marina operation. A primary driver in the selection of Dockwa Marina Software is the companion professional marketing services they offer. This contract will allow the Town to have a cohesive marketing strategy that is integrated with the Dockwa reservation system. The valuable data collected is a powerful target marketing tool – driving demand to the marina by acquiring new customers and retaining

leaseholders. The package includes the design and development of a marina website which will capitalize on the use of search engine optimization keywords. An email marketing system, social media profile pages, a marina e-Newsletter, and other marketing tools will be custom designed for the Town Marina at an exceptional price to maximize exposure and drive occupancy.

Details of the Dockwa Executive Summary are noted in the attachment.

FUNDING/FISCAL IMPACT

Funding for this program will be from the Marina Fund.

RECREATION REVIEW

This item has been reviewed by the Recreation and approved as recommended.

DUE DILIGENCE

Purchasing in collaboration with Carolyn Stone, completed extensive background verification on Dockwa. The firm was both responsive and responsible to the solicitation. All references were outstanding.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

Attachments

cc: Jay Boodheshwar, Deputy Town Manager
Carolyn Stone, Director, Business Development and Operations

RESOLUTION NO. 61-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE SELECTION COMMITTEE
RECOMMENDATION FOR RFP NO. 2020-12, MARINA
SOFTWARE TO DOCKWA, INC. IN THE AMOUNT OF \$32,987
FOR THE FIRST YEAR AND THEN \$30,588 FOR EACH YEAR
AFTER, FOR A PROPOSED FIVE YEAR CONTRACT
AMOUNT OF \$185,927 CONTINGENT UPON SATISFACTORY
VENDOR PERFORMANCE AND BUDGET AUTHORIZATION.**

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH,
PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 61-2020, which approves the Selection Committee Recommendation for RFP No. 2020-12, Marina Software to Dockwa, Inc. in the amount of \$32,987 for the first year and then \$30,588 for each year after, for a proposed five year contract amount of \$185,927 contingent upon satisfactory vendor performance and budget authorizations.

Section 2. The Town Manager is hereby authorized to execute this purchase order on behalf of the Town of Palm Beach for these improvements.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 11th day of August, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle Gordon, Acting Town Clerk

4703 RFP No. 2020-12 - Marina Software

Evaluation phase  Ends on **Jun 18 2020 8:00 AM**

Compare & Select

[Offer phase \(5\)](#) > [Evaluation \(4\)](#) > [BAFO-phase](#) > [BAFO-evaluation](#) > [Awarding](#)

 [1. SOLICITATION PACKAGE DOCUMENTS & EVALUATION FACTORS](#) 4 of 4 Complete offers 15 Questions

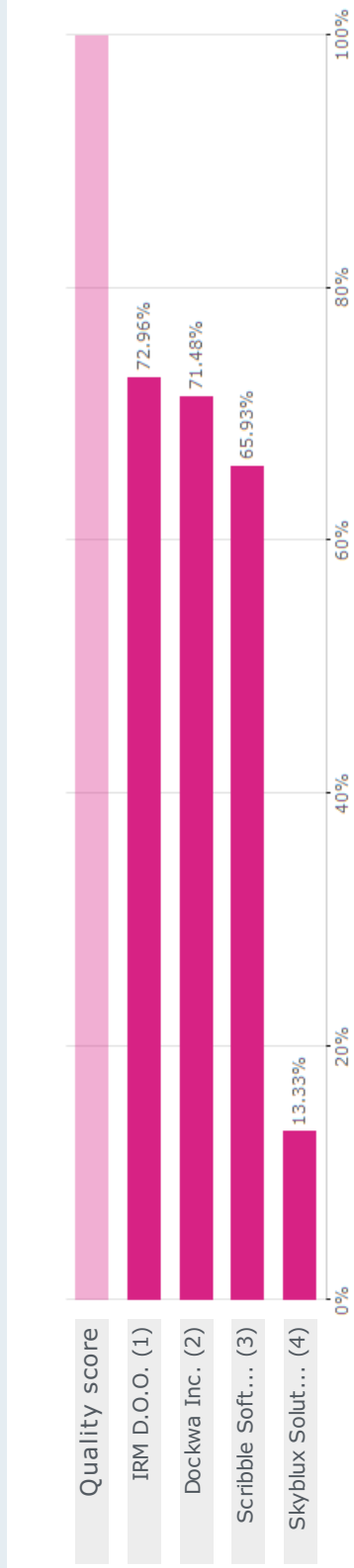
Comparison table

Sort by: Rank

Offers/Applications	Rank	Knockouts of 13	unanswered question(s) of 15	Uploads missed of 11	Incomplete evaluations of 9	Quality score	Phase
 IRM D.O.O. - MARINA MASTER IRM D.O.O. Jun 1 2020 8:39:01 AM	1	-	-	<u>3</u>	-	72.96%	Evaluation
 Dockwa Inc. Dockwa Inc. Jun 1 2020 8:47:01 PM	2	-	-	<u>3</u>	-	71.48%	Evaluation
 Scribble Software Scribble Software Jun 2 2020 12:58:40 PM	3	-	-	<u>3</u>	-	65.93%	Evaluation
 Skyblux LLC Skyblux Solutions Corp Jun 2 2020 1:02:49 PM	4	-	-	<u>3</u>	<u>1</u>	13.33%	Evaluation

Compare by: ☒ Question groups ☐ Questions

Sort by: Rank



Question groups:

- ☒ 1.1. SOLICITATION PACKAGE DOCUMENTS (0%)
- ☒ 1.2. SUPPLIER RESPONSE & ACKNOWLEDGEMENTS (0%)
- ☒ 1.3. MINIMUM QUALIFICATION (0%)
- ☒ 1.4. EVALUATION FACTORS (100%)
- ☒ 1.5. ADDENDUM - If issued will be posted here. (0%)

RFP No. 2020-12 MARINA SOFTWARE - Summary of ordinal scoring

Companies			
Selection Committee	IRM D.O.O. - MARINA MASTER	DOCKWA Inc.	Scribble Software
Charles Kapachinski	3	1	2
Mike Horn	2	1	3
Patricia Strayer	3	1	2
TOTAL	8	3	7

Date: 6/30/2020

Witness: Duke Bahr

[Signature]

Note: The lowest score is the highest ranked company etc.

Proposal for Dockwa Enterprise Professional Marketing Services

Prepared for
Town of Palm Beach Marina

Prepared by Dockwa, Inc.
July 23, 2020



Executive Summary

Dockwa's software and professional services focus on delivering value in key areas to a marina:

- Marketing
- Operational efficiency
- Customer Success

By focusing on growing and improving these areas of Palm Beach's town marina, our aim is to deliver a calculated and measurable return on investment.

Details of the Engagement

Our intention is to drive demand to the marina by acquiring new boaters and then retaining those boaters year after year. How we are proposing we achieve sustained growth in terms of acquisition and retention is as follows:

1. Build and manage specific marketing assets
 - A. Design and develop a new website for the Town of Palm Beach Marina, including the writing of all copy. We will require photos and video be included by the town. We can also work with the town to contract a photographer as needed. The website will be hosted and supported by Dockwa. Changes to the site will be made by the Dockwa marketing and/or engineering team within 24 hours of any request.
 - a) Create a content sitemap with SEO keyword targets, agreed upon between Dockwa and the Palm Beach team
 - b) Build and test landing page(s) for transient and long term dockage lead generation (to use in both paid and organic campaigns)
 - c) Integrate Dockwa reservation and contract features throughout the website
 - d) On-page SEO keyword implementation and website page structure to increase organic search traffic
 - B. Implement an email marketing system (likely Mailchimp), including the design and development of newsletter email templates to match the brand/style of the marina. Integrate Dockwa with the town's email marketing system.
 - C. Develop advertising campaigns to target both transient dockage reservations as well as monthly and longer term slip holder leads (optional, depending on the town's budget). The ad campaigns would run on Google Ads and Facebook/Instagram and would link to specific landing pages on the town's website (additional ad spend not included in Dockwa Enterprise cost, recommended spend is appx. \$1,000/mo).
 - D. Develop social media profile pages on Facebook and Instagram to use for ongoing posting and advertising

2. Provide ongoing marketing services each month (20 hours per month), which will include planned projects, which we will plan and collaborate on together, and track in Trello project management system:

- A. A monthly planning meeting between Dockwa and the Palm Beach team
- B. 2 emails per month: a monthly email newsletter to all current and past guests, plus another planned campaign or event email to current guests
- C. Advertising campaign optimizations and additions as discussed and recommended by Google and Facebook, based on ROI data from those platforms
- D. 10 Social media posts per month
- E. Collaboration on Dockwa Deals and and changes/optimizations to the town marina's Dockwa and marinas.com profiles
- F. Any and all website edits and additions to support campaigns and/or optimize the site for better traffic and conversions
- G. Implement strategies in combination with the Dockwa Marina Management Software to facilitate positive online reviews on the Dockwa + Marinas.com platforms.

3. Highlight and work on improving the customer experience (optional)

- A. Implement NPS (net promoter score surveys) on transient guest checkout and seasonal survey to long term customers and provide this reporting to the town on a monthly basis. Net Promoter Score is a best practice when measuring customer happiness.
- B. Utilize positive customer feedback on the website and position it to encourage long term dockage lead generation and transient reservations.

4. Provide marketing intelligence through custom reporting

- A. Deliver a monthly marketing report and schedule a monthly call to review the report with the Palm Beach team

Totals and Pricing Breakdown

Option 1: Dockwa Enterprise- Software + Professional Marketing Services

Item	Hourly Estimates	Cost
Software & Services:		
Dockwa Enterprise - Software & Professional Services	20 Hours per month	\$2,499/mo (paid annually)
Set up fee- one time		\$2,999
Up-front implementation for website design & development	60 hours	Included
Website hosting & support- ongoing		Included
First Year Software + Services Cost:		\$32,987
Second year and ongoing software + services cost:		\$30,588

Option 2: Dockwa Pro Software + Website Design/Development

Item	Hourly Estimates	Cost
Software & Services:		
Dockwa Pro - Software		\$499/mo (paid annually)
Set up fee -one time		\$499
Up-front implementation for website design & development- one-time fee	60 hours	\$7,500
Website hosting & support- ongoing		\$50/mo
First Year Software + Services Cost:		\$14,587
Second year and ongoing software + services cost:		\$6,588

Acceptance

.....
Town of Palm Beach Signature

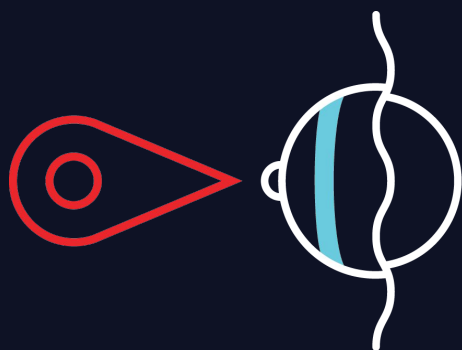
.....
Print name and title

.....
Date

.....
Dockwa Signature

.....
Print name and title

.....
Date



DOCKWA

Palm Beach Town Docks

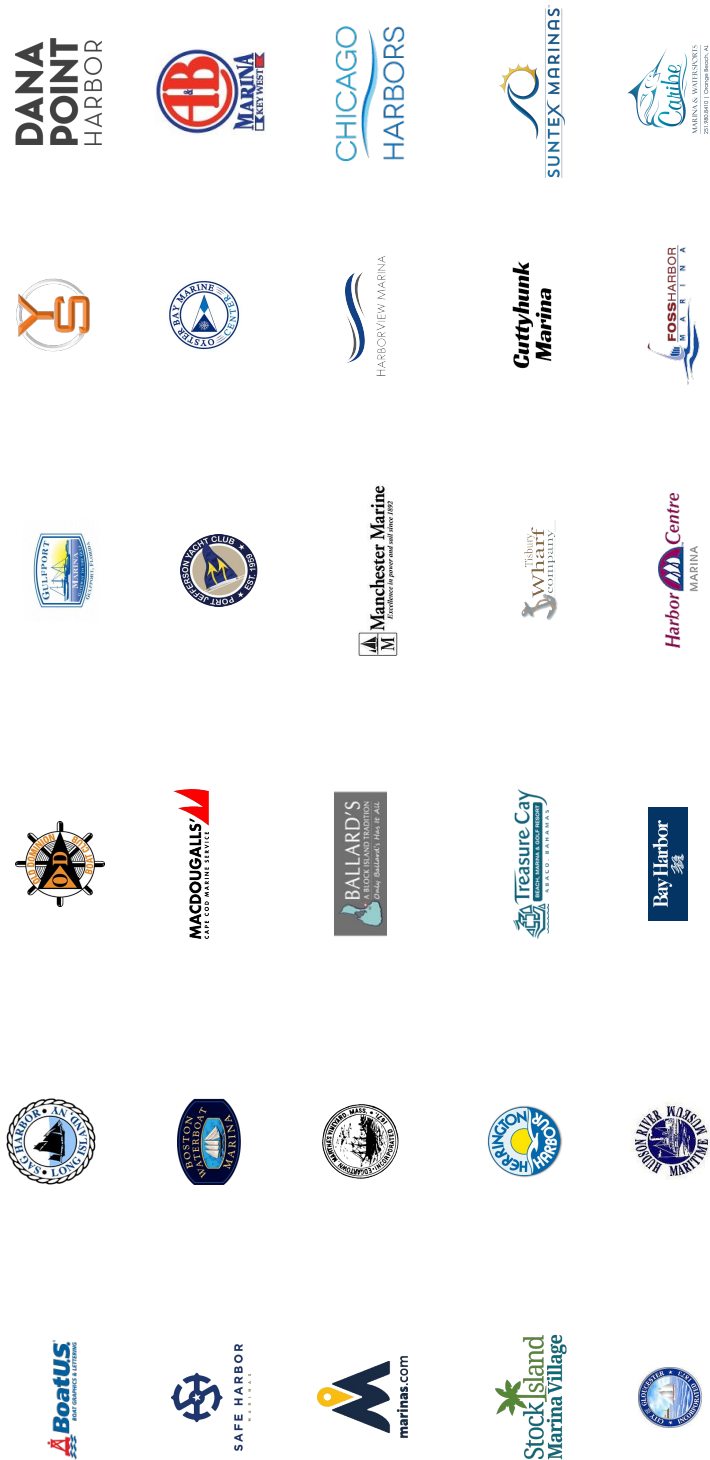
June 30, 2020

**WE ARE A MARINA'S
MANAGEMENT, MARKETING, AND
GUEST EXPERIENCE HUB**

**POWERED BY ONE OF THE
LARGEST NETWORK OF BOATERS IN
THE WORLD.**

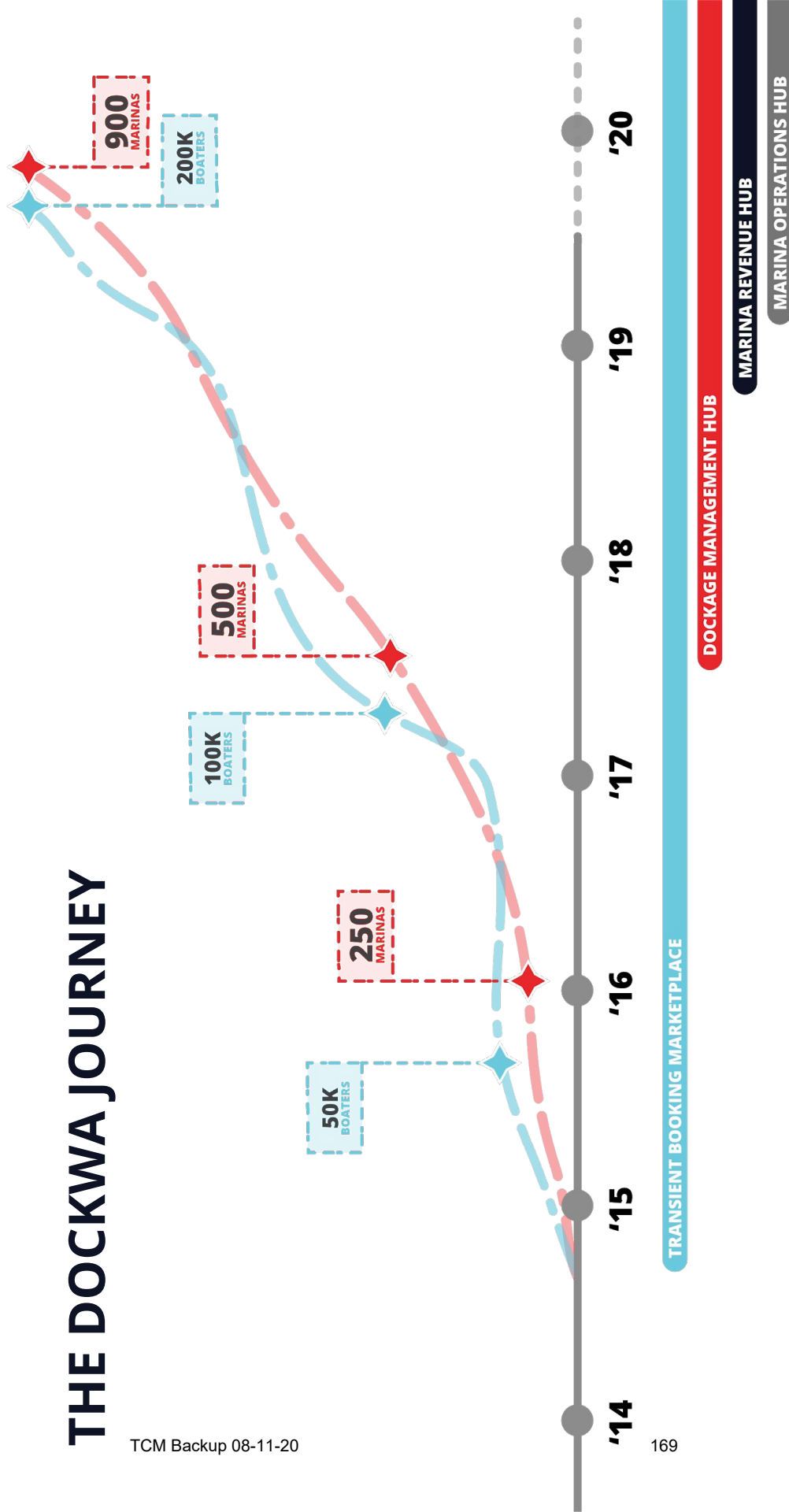


AND COUNTING!



THE DOCKWA JOURNEY

TCM Backup 08-11-20



Our promise to the marine industry is to
help marina staff...

FILL SLIPS

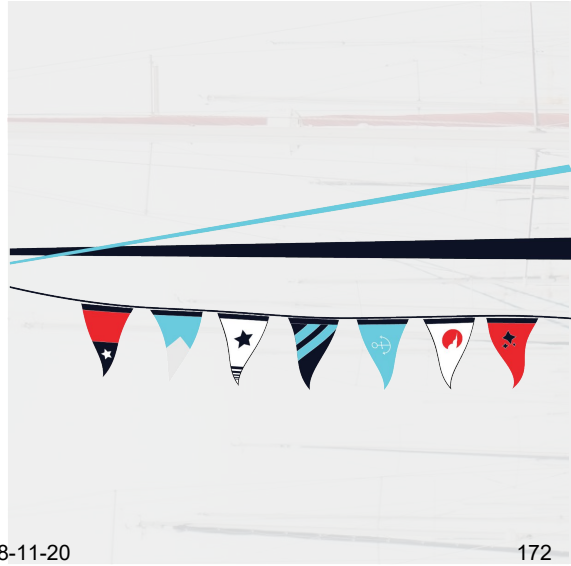
"I am surprised by the number of NEW customers we have received...If I had to guess, I would say about 80% of the reservations we have received thus far have never stayed at Sister Bay."



Amy Lorona,
Manager of Sister Bay Marina, Wisconsin



Fill your slips by taking advantage of...



THE DOCKWA BOATER NETWORK



24/7 BOOKING



MARKETING TOOLS

DELIVER GREAT GUEST EXPERIENCES

"I can't say enough about Dockwa and the way it is tailored to the needs of boaters and marina management."



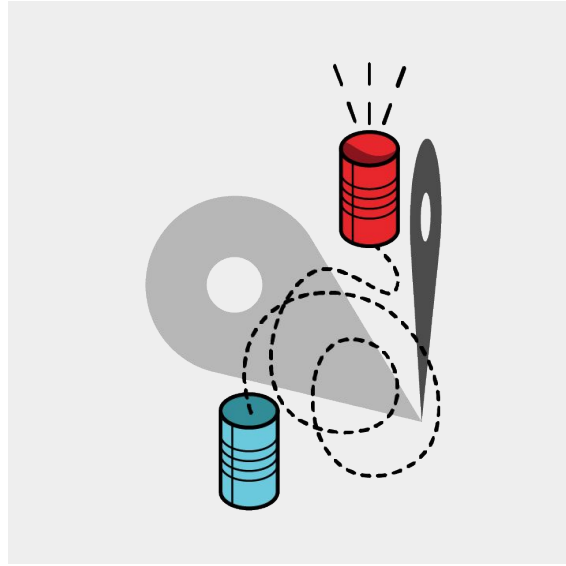
Denis Frain,
Director of Marina Operations at Gulfport Municipal Marina



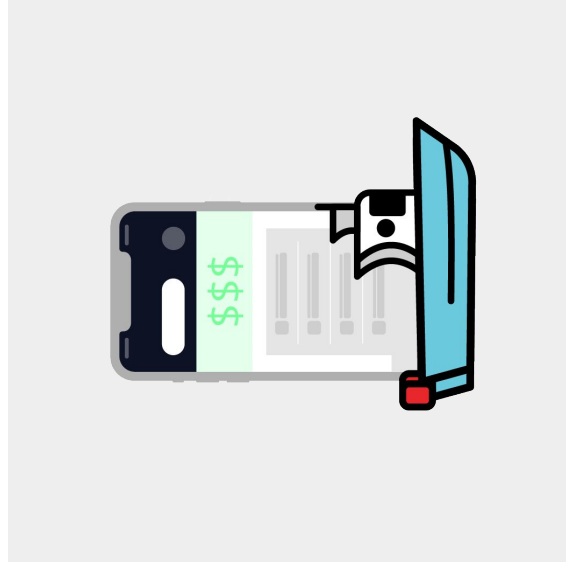
Deliver a great experience by giving guests...



AN IMMEDIATE RESPONSE



**A DIRECT LINE OF
COMMUNICATION**



A WALLETLESS EXPERIENCE

SAVE TIME IN THE DAY

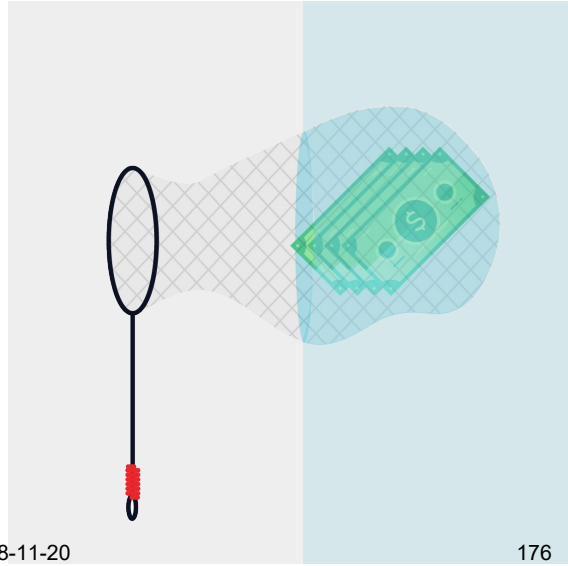
"It has cut our time immensely when making a reservation [by removing the need for] the related paperwork. It also cuts down on the office staff's time relating to deposits."



Bob Bori,
Harbormaster of Sag Harbor, New York



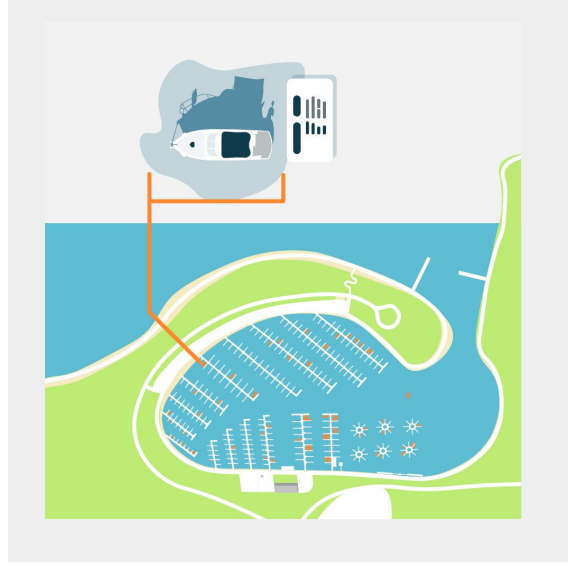
Save time in your day with...



AUTOMATIC PAYMENT COLLECTION



**PAPER-FREE DOCK & GUEST
MANAGEMENT**



**AN ALWAYS-ACCURATE
COMPLETE MARINA VIEW**



Dockwa allows boaters to search, reserve,
and pay with their mobile device.



One Tap Reservations



Cashless & Convenient



Reviews & Amenities



Accurate Availability

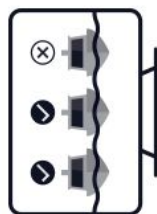


Efficient Search



Transparent Pricing

Dockwa allows marina's to manage their operation across all platforms.



Marina Management



Increase Revenue & Profit



Free Advertising



One Tap Confirmations



Guaranteed Payment



Improved Customer Experience

PRODUCT OVERVIEW

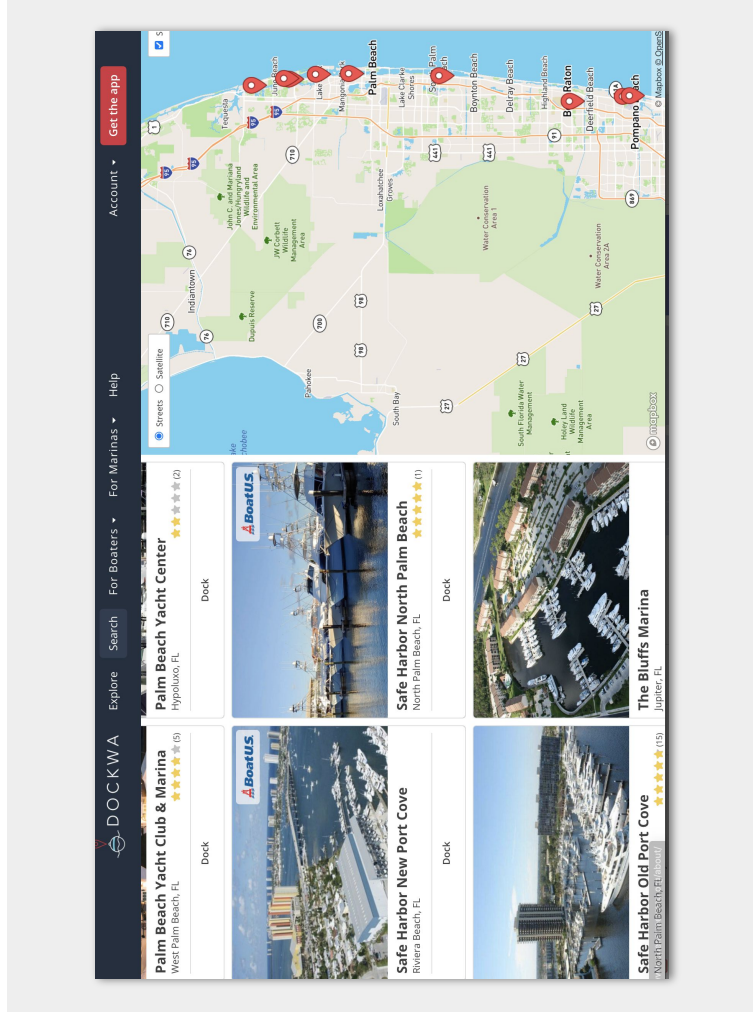
Be where your current and future customers are by being part of the Dockwa Boater Network

Dockwa is the ONLY marina management platform that can make you money.

Gain direct access to over 300,000 active boaters who are using the Dockwa platform to plan boating activity, both near-term and far.

Run “Dockwa Deals” to gain exclusive marketing exposure to the Dockwa boater network

Reap the benefit of more reservations, new annual customers, and turnkey tools to measure success.



Easily find customers details at anytime, from anywhere with the **Customer Database.**

Store all information on customers in one easy to navigate system (Boats, contact info, address, reservations, contracts, payment methods, notes etc.)

Unlimited customer database storage

Access customer data from any device and via the Dockwa mobile app

The screenshot displays the 'Customers' section of the Dockwa mobile app, specifically the profile for 'Mathew Minty'. The interface includes a top navigation bar with 'Customers / Mathew Minty' and an 'Account' icon. Below this is a sub-navigation bar with tabs for 'Details', 'Reservations', 'Boats', 'Credit Cards', and 'Contracts'. The 'Details' tab is active, showing two main sections: 'Customer Details' and 'BoatUS Membership'. The 'Customer Details' section contains fields for Name (Mathew Minty), Email (mathew.d.minty@gmail.com), Phone ((401) 742-3275), Address Line One, Address Line Two, City, State, Zip, and a Customer Note (Prefers slip A-45). There is an 'Update Contact' button at the bottom right of this section. The 'BoatUS Membership' section includes fields for Last Name, Zip Code, and BoatUS Membership ID, with an 'Add BoatUS Membership' button. A 'New Reservation' button is located at the top right of the page. A yellow footer bar contains the text 'Marina terms and conditions not yet accepted.'

Make life easier on guests and staff while maintaining control of your business with **Reservation Management.**

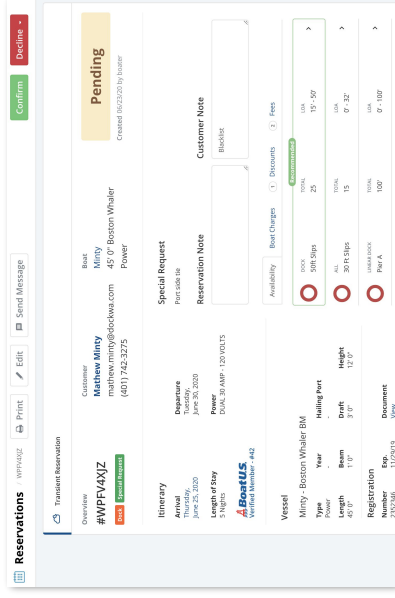
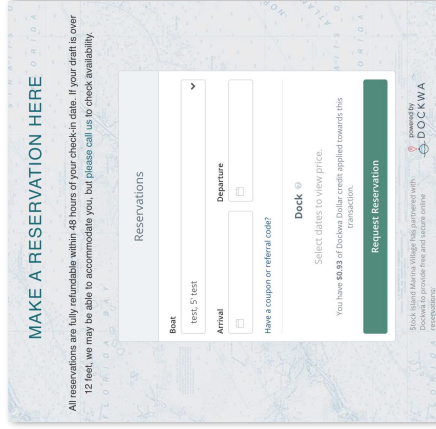
Offer a modern booking experience to boaters (web & mobile)

Confirm, decline or add requests to waitlist with one-click

Automatically charge customer credit cards, safely and securely

Instantly send payment receipt & confirmation emails

Update reservation records and availability with one click



Swap Excel and your whiteboard for an always-accurate, complete marina view with **Assignments & Availability.**

Fully customize Dockwa assignments to see inventory and availability of your whole marina

Easily pinpoint what boat is in each slip and find boaters contact information

Assign any vessel to the spaces that you've created.

Easily keep track of inventory when making new reservations

Assess your marina's occupancy any given time.

Manage on the go or out of the office on any device.

The screenshot displays the Dockwa 'Assignments' interface. At the top, there's a navigation bar with 'Account' and 'Close Sidebar' options. Below this, the 'Assignments' section is active, showing a calendar view for June 2020. The calendar has columns for days of the week and rows for dates. A sidebar on the left lists various dock spaces: 'Collapse All', 'dock', '50ft Slips', 'A1', 'A2', 'A0', 'AA1', 'Seasonal A-2', '30 Ft Slips', 'S15', 'S9', 'X1', 'X2', and '>'. The main calendar area shows assignments for 'Dragon's Waves, 38' Power' in slip A1, 'Misty, 45' Power' in slip A2, 'Sally Sam, 65' Power' in slip A0, and 'Big Boat, 38' Power' in slip X1. To the right of the calendar is a detailed reservation form for 'Reservation #5KFP95XP'. This form includes fields for 'Vessel' (Dragon's Waves, 38' Power), 'Customer' (Gray Dragon), 'Arrival' (Wednesday 05/13/2020), 'Departure' (Friday 09/25/2020), 'Space Type' (Dock), and 'Special Request'. There are also sections for 'Reservation Note' and 'Customer Note', each with an 'Add Note' button. At the bottom right, there's an 'Assignments' section with a 'Fully Assigned' status, a 'Night range' selector (05/13/2020 to 09/25/2020), and a 'Remove' button. A green 'Save' button is located at the bottom right of the interface.

Stop chasing checks with automated, convenient, and transparent Billing & Invoices.

Automate customer billing while maintaining the flexibility to customize charges, add fees, discounts etc.

Automatically send email invoices to customers prior to, and on day of, payment date.

Securely store payment methods to automatically bill customers.

Automatically alert customers to update payment info when CCs expire.

Payment due April 12, 2020 for Reservation #MGF13DEN

Hi Jeremy,

Just a heads up that the next installment of your reservation #MGF13DEN with Stanwood's Demo Marina is due April 12, 2020.

Please contact the marina if you need to make alternative arrangements for this payment.

Upcoming payment:

Fee	\$12.67
Seasonal Fees: 2020-04-12 1267 Installment 1/2	\$12.67
Dockage	\$316.67
Subtotal	\$329.34
Sales Tax	\$0.00
Total	\$329.34

Stanwood's Demo Marina has received your payment.
Reservation #L3F6EQ4W
Payment Invoice #RV471N

Amount Paid
\$30,000.00

Date Paid
May 13, 2020

Receipt

Dockage	\$30,000.00
Subtotal	\$30,000.00
Sales Tax	\$0.00
Total	\$30,000.00

Transactions

Cash	May 13, 2020	\$30,000.00
------	--------------	-------------

Ditch the paperwork - swiftly, securely send and manage contracts digitally with **Contract Management.**

Easily create and send slip and storage agreements/contracts

Deliver contracts straight to customer email (no need for paper or PDFs)

Offer customers e-sign capabilities

Seamlessly enroll customers in auto billing at the time of signing

See, in real time, the status of each outstanding contract

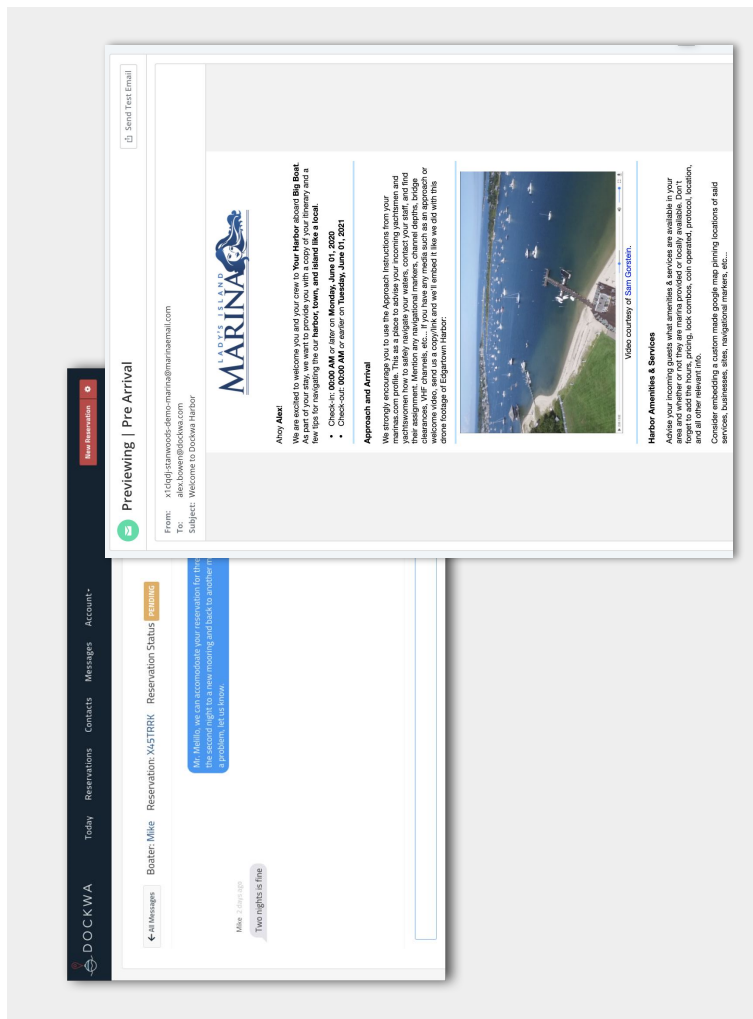


Communicate with customers the way they have come to expect Chat & Email.

Send and receive direct messages to/from your guest's smart phone and email.

Store chat history on all reservations and customer records.

Set up automatic email communications to transient customers and long term tenants



Make balancing the books a breeze with
Real time financial reporting.

Easily export data to excel format for
customization and reconciliation

Access to 13 pre-built reports

Segment by day, week, month, or
custom date ranges

Data available in real time

The screenshot displays the DOCKWA Reports interface. The sidebar on the left contains a menu with options: Dashboard, Reservations, Contracts, Waitlist, Customers, Messages, Assignments, and Reports (highlighted). The main content area is titled 'Reports' and features a 'New Reservation' button. Below this, there are several sections: 'Financial Reports' (Reservations, Line Item Ledger, Invoices, Transactions, Bank Transfers, Assignments), 'Legacy Financial Reports' (Payments, Transfers, Line Items), 'Advanced Financial Reports' (Daily Accrual Revenue, Daily Asset Revenue, Monthly Accrual Revenue, Monthly Asset Revenue, Occupancy, Cash Sales, Accounts Receivable), 'Cash Sales' (A cph summary report of sales by category for custom date ranges, with Start Date 05/01/2020 and End Date 05/31/2020), and 'Recent Exports' (Cash Sales Report 2020-05-01 to 2020-05-31, Transactions 2020-05-01 to 2020-05-31). The Recent Exports table shows two completed reports, each with a download link.

PLANS & PRICING

Dockwa's intuitive boater relationship platform flexes to fit the operational needs and goals of your marina, while empowering you to give your boaters a delightful experience.

STARTER

BEST FOR:
OWNING YOUR DAY

Own Your Day:

- ✓ Credit Card Processing
- ✓ Digital Contract Sending & Collection
- ✓ Guest Chat
- ✓ Slip Assignment Management

Fill Your Slips:

- ✓ Dockwa Boater Network Exposure
- ✓ Guest Waitlist
- ✓ Dockwa Deals Marketing Support

Delight Your Customers:

- ✓ 24/7 Online Booking
- ✓ Guest House Accounts
- ✓ Coupon Codes

One-Time Setup Fees **\$199**

Dockwa's Starter suite of boater relationship and marina management tools gives you flexibility throughout your workday. Flexibility means more time for those aspects of your job that you love.

\$99

PER MONTH, PAID ANNUALLY
\$149 PER MONTH, PAID MONTHLY

PRO

BEST FOR:
DELIGHTING YOUR CUSTOMERS

All Features in Starter, Plus:

Delight Your Customers:

- ✓ Branded Contracts
- ✓ Custom Guest Emails

Fill Your Slips:

- ✓ Occupancy Reporting
- ✓ Platinum Marinas.com Profile

Own Your Day:

- ✓ Email Marketing Integration
- ✓ Cash Sales Reporting
- ✓ Accrual Revenue Reporting
- ✓ Asset Revenue Reporting

One-Time Setup Fees **\$499**

BEST VALUE

Dockwa Pro grows your marina by adding to your Dockwa toolbox features, allowing you to take your customer experiences and business intelligence to the next level.

\$499

PER MONTH, PAID ANNUALLY
\$599 PER MONTH, PAID MONTHLY

ENTERPRISE

BEST FOR:
FILLING YOUR SLIPS

All Features in Starter and Pro, Plus:

Fill Your Slips:

- ✓ Website Design & Development
- ✓ Custom Email Marketing Services
- ✓ Advertising Management

Own Your Day:

- ✓ Custom Reporting
- ✓ Customer Satisfaction Surveys

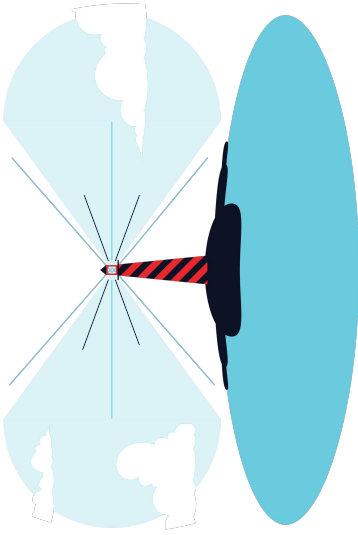
One-Time Setup Fees **\$2,999**

While many marinas have similar pain points, each has individual marketing needs depending on season, location, amenities, and more. Dockwa Enterprise is a pricing on a package designed for you.

\$2,499

PER MONTH, PAID ANNUALLY
\$2,999 PER MONTH, PAID MONTHLY

Are none of these plans right for your marina? Feel free to start with our Free Marinas.com product offering.



Thank You
For Your Time

TOWN OF PALM BEACH

Town Council Meeting on: August 11, 2020

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Shoreline Condition Update

Presenter

H. Paul Brazil, P.E., Director of Public Works

ATTACHMENTS:

- ▣ **Memorandum dated August 3, 2020, from H. Paul Brazil, P.E., Director of Public Works**

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2020

TO: Mayor and Town Council
VIA: Kirk W. Blouin, Town Manager
FROM: H. Paul Brazil, P. E., Director of Public Works
RE: Shoreline Condition Update
DATE: August 3, 2020

STAFF RECOMMENDATION

No action is required by the Town Council at this time.

GENERAL INFORMATION

A presentation of the Town's shoreline will be provided at the August 11, 2020 Town Council meeting. All photographs taken during shoreline assessments are available upon request.

The presentation will include the shoreline conditions in all reaches of the Town, including the Town's beach nourishment and dune restoration project areas. The photographs will compare the pre-storm and post-storm shoreline fluctuations as a result of Tropical Storm Isaias. Photographs were taken not only to provide visual perspective for Town Council and the public, but also to serve as required documentation for FEMA had the storm caused significant damage and warranted a claim.

cc: Patricia Strayer, P.E., Town Engineer
Robert Weber, Coastal Program Manager

TOWN OF PALM BEACH

Town Council Meeting on: August 11, 2020

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Town-wide Undergrounding Project

Steve Stern, Project Manager

- a. Review of Project and Dashboard, Summary of Project Status
- b. Request from Property Owner of 70 Middle Road to Remove Sidewalk on Middle Road and Via Marina to Avoid a Chicane on Via Marina

Presenter

ATTACHMENTS:

- ▣ **a. Review of Project and Dashboard, Summary of Project Status**
- ▣ **b. Memorandum dated June 22, 2020, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **b. Email from Resident**
- ▣ **b. Existing Sidewalk**
- ▣ **b. Photos**

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2020

To: Mayor & Town Council

Via: Kirk W. Blouin, Town Manager

From: Steven Stern, Underground Utilities Project Manager

Re: Utility Undergrounding Project Status Report

Date: July 30, 2020

I. Communications

A. Community Meetings:

Cancelled until further notice.

B. Significant Postal Mail or eMail

Phase 3 South:

Postal Mail – Letter advising property owners of above ground equipment installations planned for the adjacent Town Right of Way.

II. Progress Summary:

A. Construction Progress:

Phase 1 North:

From the Inlet south to Onondaga Ave.

- Complete, March 30, 2019

Phase 1 South:

From southern Town limits north to Sloan's Curve.

- Complete, April 3, 2020

Phase 2 North Construction:

From Esplanade Way to Ocean Terrace.

- Phase 2 North construction is 91% complete.
- FPL cutovers are complete.
- Comcast cutovers and decom are complete.
- ATT cutovers and overhead decom continue. This is the critical path.
- FPL wire and pole removal activities pushed to end of August.

Phase 2 South Construction:

From Sloan's Curve to the intersection of S. Ocean Blvd & S. County Road

- Phase 2 South, construction is 14% complete.
- The crews continue to work in the area south of Southern Blvd.

Phase 3 North Construction:

From Osceola Way to the north side of La Puerta Way

- Phase 3 North construction is 69% complete.
- The drilling crews have completed primary and feeder conduit, cable, concrete pad and transformer placements throughout Phase 3 south.
- Private side service conduits and cable are complete.
- ATT & Comcast install activities are in progress.

B. Design & Easement Progress:**Phase 3 South:**

From S. Ocean Blvd & S. County Road to the Alleyway south of Worth Ave.

- Design is 94% complete
- 85 of 96 easements are recorded or verbally approved.
- Bid package availability is targeted for TC presentation in August or September.
- 6 critical easements remain outstanding along Golfview Alley.
- 4 critical easements remain outstanding S. County Road.
- 5 easements remain outstanding on the side streets.
- 1 of the 4 planned Chicanes remain without a solution.
 1. 20, 22 & 30 Middle Road (**30 Middle Road - Verbal Approval**)
 2. 70 Middle Road
 3. 234 El Brillo Way – (**eliminated by FPL design modification**)
 4. 350 & 358 El Brillo Way (**358 El Brillo Way - Verbal Approval**)

Phase 4 North:

From south side of La Puerta Way to north side of List Road.

- Design is 84% complete
- 56 of 60 easements are recorded or verbally approved.
- Bid package availability is approaching completion targeted for TC presentation in September.
- 2 critical path easements remains outstanding along N Lake Way.
- 6 Chicanes are currently planned within this area.
 1. 250, 255, 260, 263 & 271 El Pueblo Way
 2. 215, 223, 225, 230 & 232 Colonial Lane
 3. 274, 281 & 282 Monterey Road
 4. 216, 221 Monterey Road & 1080 N Ocean Blvd
 5. 251 & 265 Orange Grove Road
 6. 281 List Road

Phase 4 South:

From Peruvian Ave north to Royal Palm Way & the Town Docks.

- Design is 65% complete.
- 46 of 62 easements are recorded or verbally approved.
- Easement acquisition is behind schedule with the original Master plan construction being May 2020.

Phase 5 North:

From Country Club Road to Southland Road.

- Design is 33% complete and on schedule.
- 5 of 73 easements are recorded or verbally approved.

Phase 5 South:

From South Lake Drive/Hibiscus Ave & Peruvian Ave/Royal Palm Way, properties between the Intracoastal waterway and the Atlantic Ocean & from Royal Palm Way to Seaspray Ave.

- Design is 33% complete and on schedule.
- 0 of 62 easements are recorded or verbally approved.

Phase 6 North:

From Chateaux Drive & Kawama Lane to the south side of Plantation Road.

- Design is 22% complete and on schedule.
- Easement acquisition has not started.

Phase 6 South:

Seaspray Ave to the south of Royal Poinciana Way.

- Design is 21% complete and on schedule.
- Easement acquisition has not started.

Phase 7 North:

Palm Beach Country Club north to the south side of List Road.

- Not started.

Phase 7 South:

Atlantic Ave north to Via Los Incas & Sanford Ave

- Not started.

Phase 8:

Royal Poinciana Way north to Everglade Ave

- Not started.

III. Undergrounding Equipment in Town Owned Property

During the July 14, 2020 meeting, when reviewing a modified easement request within the Palmo Way Park area, the Town Council requested a policy discussion regarding future placement of undergrounding equipment on Town owned property.

There are two types of Town owned property to discuss:

1) Town Owned Parks

- a. Town Council direction to staff is to avoid placing equipment in parks and seek private property easement solutions.
- b. If private alternatives are not available to deploy necessary equipment, staff will present park easement options for Town Council review and approval.

2) Town Owned Right of Way

- a. Staff seeks private property easement solutions for equipment on the served properties. If private property alternatives are not available to deploy necessary equipment, Town Right of Way alternative solutions are investigated. Types of Town Right of Way include:
 - i. Utility Strips – the area between the street and the sidewalk typically seen in midtown. Examples include: Australian Ave, Brazilian Ave, Chilean Ave

and the SeaStreets, among others. When equipment is placed within the utility strip, the sidewalk may require modification.

- ii. Beach Access – These are an option only if all private property options have been exhausted. Two areas that have been utilized so far include beach access paths, which are actually Town right of way, to the east of La Puerta Way and Via Marila. When considering beach access that is Town right of way, this is coordinated with the Coastal Program to ensure the equipment does not impact beach renourishment projects.
- iii. Chicanes – A street choker (aka chicane) is an option for the Town to construct if private property alternatives are not available to deploy necessary equipment.

IV. Financial Summary

A. FEMA Grant Update:

On July 22, 2020, the Town submitted to the Florida Department of Emergency Management its Phase 5 budget modification and period of performance extension request. Reporting changes is required and has been completed for project 4337-278-R, Agreement H0374 for Town of Palm Beach Undergrounding, Utility Protective Measures.

- The Town reported the revised project budget for the revised Engineer's Opinion of Cost (OPC). The revised OPC was presented to the Town Council Dec 10, 2019 based on actual costs of construction for phases of the project completed and in progress. This information was more accurate and was not available when the Town applied for the original grant.

FL DEM and FEMA review and response of the revised project budget is expected to require approximately 60 – 90 days.

- A Period of Performance (PoP) extension to the grant contract was submitted. The Town requested a contract extension until May 2023. Phase 5 of the project requires an estimated 2 year construction timeline. Start of construction is planned for May 2021.

FL DEM review of the PoP extension request is expected to require approximately 30 - 60 days.

B. Project Budget Summary:

Other than receiving vendor pay applications for design, direct material purchases or work performed in active phases, there were no changes made since last month's report. The full underground utility project financial report is provided within your backup package with the summary page shown immediately below.

**Underground Utility Project Budget
Project Financial Summary
July 31, 2020**

Expenditures	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 1	\$ 12,620,000	\$ 12,910,000	\$ 12,829,947	\$ 12,843,681	100.1%
Phase 2	\$ 9,170,000	\$ 13,470,000	\$ 12,915,885	\$ 6,677,746	51.7%
Phase 3	\$ 10,910,000	\$ 15,400,000	\$ 6,088,978	\$ 4,817,992	79.1%
Phase 4	\$ 10,370,000	\$ 15,220,000	\$ 1,335,096	\$ 1,004,364	75.2%
Phase 5 (Includes \$8.5 Million FEMA Grant Offset)	\$ 14,090,000	\$ 11,694,645	\$ 1,609,805	\$ 504,822	31.4%
Phase 6	\$ 16,820,000	\$ 20,800,000	\$ 1,921,608	\$ 404,287	21.0%
Phase 7	\$ 11,730,000	\$ 15,910,000	\$ -	\$ -	
Phase 8	\$ 12,300,000	\$ 14,500,000	\$ -	\$ -	
Total Project Costs To Date	\$ 98,010,000	\$ 119,904,645	\$ 36,701,320	\$ 26,252,892	71.5%
Other Costs Associated Directly with the Project (Page 8)	\$ 570,000	\$ 1,180,414	\$ 1,180,414	\$ 928,441	78.7%
Grand Total of Costs Related to Project	\$ 98,580,000	\$ 121,085,059	\$ 37,881,734	\$ 27,181,332	71.8%
Debt Service and Related Debt Issuance Costs (Page 8)			\$ 6,098,350	\$ 4,636,639	76.0%
Total Other Costs Outside Underground Budget (Page 8)			\$ 1,158,567	\$ 2,018,761	174.2%
Grand Total of All Costs Related to the Project	\$ 98,580,000	\$ 121,085,059	\$ 39,040,301	\$ 29,200,093	74.8%

Total Project Budget - Opinion of cost for construction	\$ 121,085,059
% Budgeted/Encumbered To Date Project Costs	31.29%
% Spent to Date - Project Costs	22.45%

Rev: July 29 2020

PHASE 3 SOUTH - CRITICAL EASEMENT STATUS

Area	Owner	Address	Contact Title	Note	
Golfview Alley	Carl & Mary Panattoni	8 Golfview	Owner	Declined	
Golfview Alley	Fred Masters	212 Worth Ave	Owner	Declined	
Golfview Alley	Ilan Yerushalmi, Napoleon Palm Beach	218 Worth Ave	Owner	No progress.	
Golfview Alley	Worth Pondfield, Mark Waxman	222 Worth Ave	Property Manager	No progress.	
Golfview Alley	Ms. Handlesman	224 Worth Ave	Owner	Pending decision	
Golfview Alley	Ms. Handlesman	306 Worth Ave	Owner	Pending decision	
S. County Rd	Francoise & Jacques Cohen	137 El Vedado Road	Owner	Verbal Agreement	
S. County Rd	Bill Collatos, Posey & Roy	750 South County Road	Owner & Architect	Declined (After ARCOM Contingent Approval)	
S. County Rd	Ann Desruisseaux trustee, Attebury attorney.	800 South County Road	Trustee	Pending decision	
S. County Rd	MICHAEL KETTENBACH	800 S County Road	Owner	Pending decision	
S. County Rd	Robert F. Agostinelli, Leo Sotomejor	196 Banyan Rd	Property Manager	Pending decision	
Street	Colony Hotel	152 Hammon Ave	Hotel Mgr	Pending decision	
Street	Jan Holdings, LLC (Ms. Navab Owner)	4 El Bravo Way	Property Manager	Verbal Agreement	
Street	Margaretta Taylor	120 El Brillo Way	Owner	Verbal Agreement	
Street	Richard Kurtz	235 Banyan Rd	Owner	Pending decision	
Street	Robert & Paula Butler, Larry Alexander	640 S. Ocean Blvd	Owner, Attorney	Pending decision	

No Progress

Pending Decision

Approved

Phase 4 North - Critical Easement Status & Chicanes

Chicane #	Number	Street	Owner	Note	Status
6	281	LIST ROAD	Gail G. Slingsluff	Declined.	
5	251 265	Road Road	Ernest Gordon, LLC Dave Moran	Declined. Declined.	
4	216 1080	Monterey Rd N. Ocean Blvd	Budge and Candy (Henry and Leslie) Jamison Donald & Sher Kasun	Declined. Agreed - clear space	
3	282	Monterey Rd	Leigh & Pamela Dunston	Declined.	
	281	Monterey Rd	Anthony Cummings	No contact.	
	274	Monterey Rd	Barbara Smith, Beth Hayne PM	Declined.	
2	230	COLONIAL LANE	Salvatore J. Impastato	Declined.	
1	255	EL PUEBLO WAY	Donna & Allen Morris	Declined	
	260	El Pueblo Way	Gary B.& Kelly Jean Pohrer	Recorded	

No Progress

Pending

Approved

Other Critical Path Easements

Street	Street	Owner	Status	Equipment Type
1072	N LAKE WAY	David Dreman	Declined.	VISTA
1090	N LAKE WAY	1090 NLW LLC	Approved	1Ø
1110	N LAKE WAY	New Owner (Jeff Smith Architectural Group)	Negotiating	1Ø
1090	N OCEAN BLVD	Ann Desruisseaux	Approved	1Ø



Underground Utility Project Monthly Progress Report August 2020

Table of Contents

Dashboard – Phase 2, 3 Construction & Phase 3, 4, 5, 6 Design

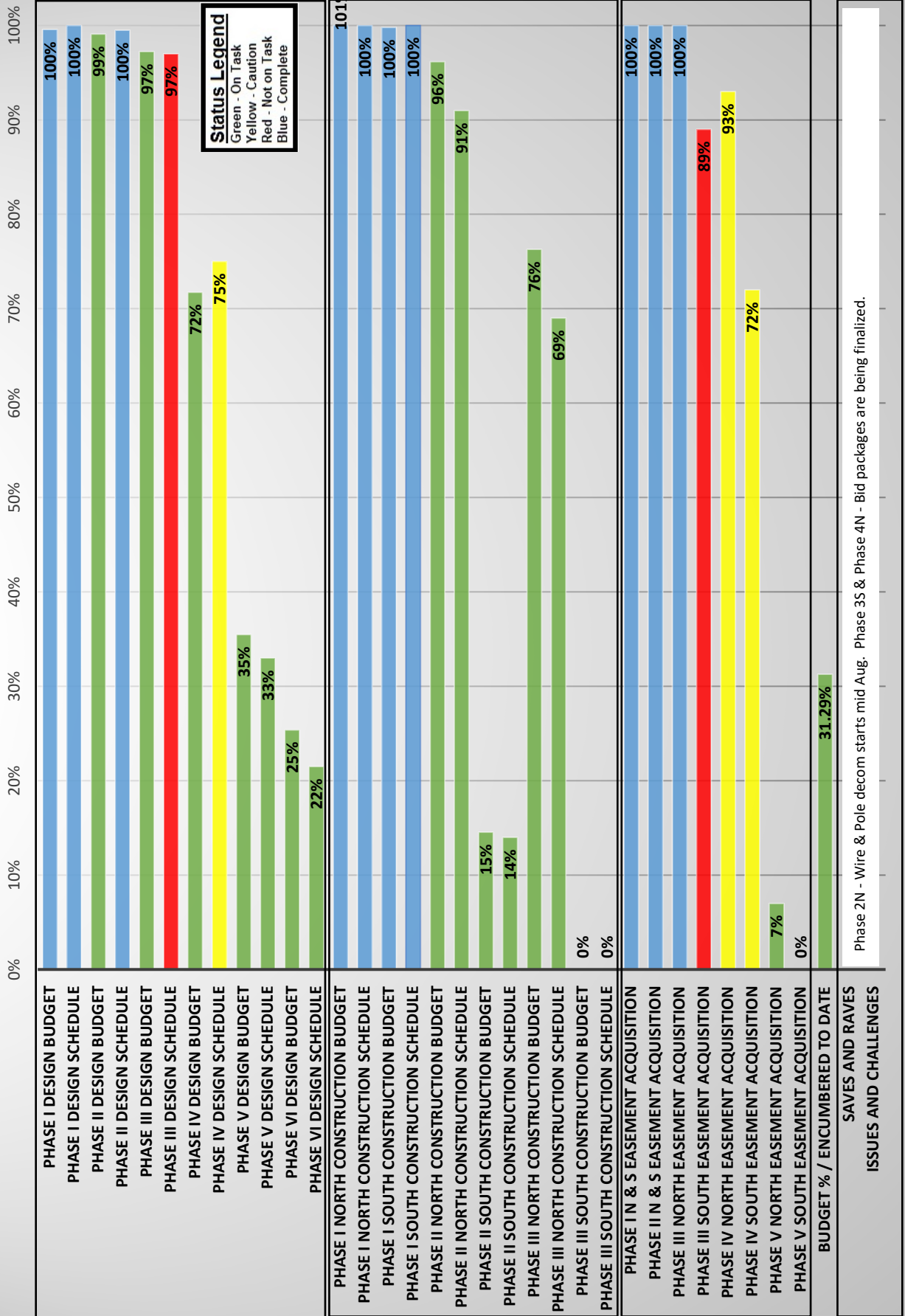
1. Townwide Undergrounding - Phasing & Sequencing Program Map
2. Kimley-Horn - Design
Progress Reports - Phase 3 - 6
Gantt Charts - Phase 3 - 6
3. Burkhardt Construction
Executive Summary & Schedule - Phase 2N, 2S & 3N
4. Project Financial Report
5. Interest Rate Forecast

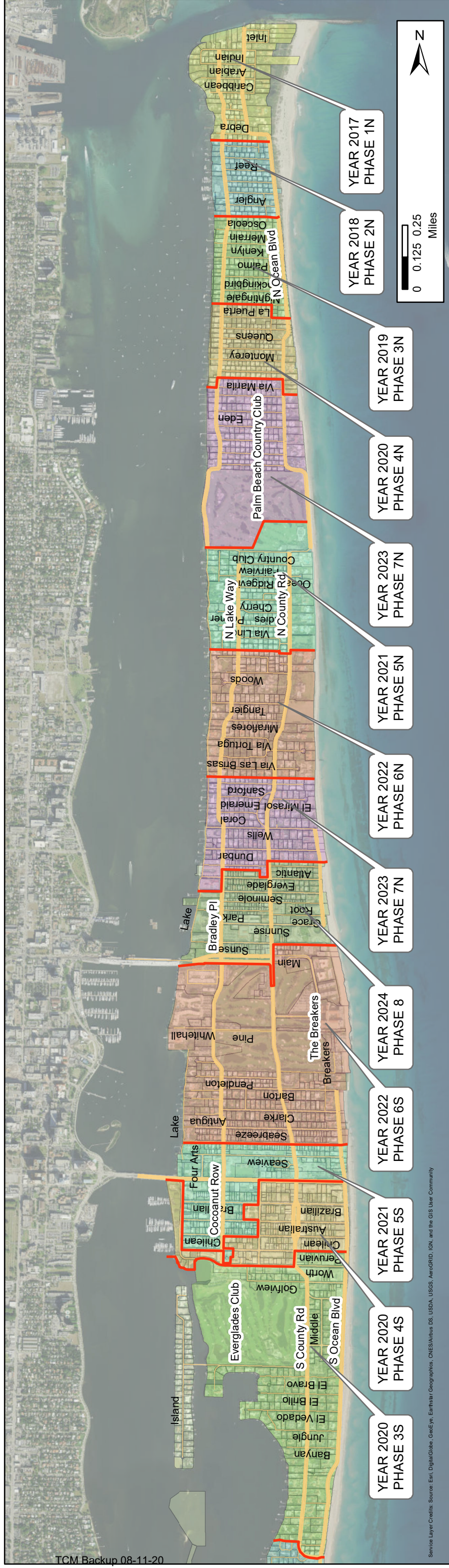
Dashboard Notes:

Total Project Budget - Opinion of cost for construction: \$121,085,059

Prepared by the TMO & Finance Departments
July 30, 2020

Town of Palm Beach - Underground Utility Project Dashboard - August 2020





Master Plan 2017

Phase Area	Design Start	Construction Start	End of Pole Removal / Restoration
Phase 1 N	Dec-16	Jun-17	Jun-19
Phase 1 S	Dec-16	Jun-17	Jun-19
Phase 2 N	Jun-17	Jul-18	Feb-20
Phase 2 S	Jun-17	May-19	Dec-20
Phase 3 N	Nov-17	May-19	Jan-21
Phase 3 S	Nov-17	May-19	Apr-21
Phase 4 N	Jun-18	May-20	Feb-22
Phase 4 S	Jun-18	May-20	Mar-22
Phase 5 N	May-19	May-21	Apr-23
Phase 5 S	May-19	May-21	May-23
Phase 6 N	May-20	May-22	Feb-24
Phase 6 S	May-20	May-22	Apr-24
Phase 7 N	May-21	May-23	Feb-25
Phase 7 S	May-21	May-23	Mar-25
Phase 8	May-22	May-24	Mar-26

Revised Jan 2020

Design Start	Construction Start	End of Pole Removal / Restoration
Dec-16	Jun-17	Jun-19
Dec-16	Jun-17	Jan-20
Jun-17	Jul-18	Jun-20
Jun-17	Jan-20	Dec-21
Nov-17	Nov-19	Oct-21
Nov-17	Sep-20	Sep-22
Jun-18	Dec-20	Dec-22
Jun-18	Dec-20	Dec-22
May-19	May-21	Apr-23
May-19	May-21	May-23
Nov-19	May-22	Feb-24
Nov-19	May-22	Apr-24
May-20	May-23	Feb-25
May-20	May-23	Mar-25
May-22	May-24	Mar-26

Actual
Estimated



Town-Wide Undergrounding - Phase 3 Undergrounding
KHA Project #044063215
July 2020 Progress Report
Period: June 20, 2020 to July 19, 2020

I. Scope Update

A. General

- Schedule: Project schedule progress is shown below.
 - Phase 3 North Design is 100% complete
 - Phase 3 South Design is 94% complete *
- Budget: Project is on budget as of July 15, 2020
 - Phase 3 North Design is at 99% of total task budget
 - Phase 3 South Design at 95% of total task budget
- Easement Status
 - Phase 3 North: 100% (36/36) easements approved
 - Phase 3 South: 89% (85/96) easements approved

* Phase 3 South is currently behind schedule.

B. Detailed Design Phase

- o Continued Subconsultant/utility owner coordination
- o Progress Meeting Attendance
- o GMP Scope Meeting Attendance and Coordination with CMAR
- o Coordination with FPL on BCE Request, review of BCE received
- o Coordination with FPL and Comcast to finalize design plans.
- o Coordination with CMAR regarding GMP development
- o Completion of FDOT Utility Permitting Process
- o Coordination with the FDOT regarding the Landscaping Permit Application
- o Continued development of Phase 3 South easement exhibits and submittal to Town.
- o Site meetings with property owners to discuss easement requests in Phase 3 South.
- o Development of legal sketches and descriptions for Phases 3 South.

II. Upcoming Activities (July 21, 2020 – August 20, 2020)

A. Detailed Design Phase

- o Continued Subconsultant/utility owner coordination
- o Continued Easement meetings with property owners – Phases 3 South
- o Continued coordination with FPL, AT&T and Comcast to revise the Phase 3 South design based on final easements
- o Continued Bid/GMP development phase support
- o Progress Meeting Attendance
- o Respond to FDOT Landscaping comments if necessary

Town-Wide Undergrounding - Phase 4 Undergrounding

KHA Project #044063219

July 2020 Progress Report

Period: June 21, 2020 to July 20, 2020

I. Scope Update

A. General

- Schedule: Project schedule progress is shown below.
 - Phase 4 North Design is 84% complete*
 - Phase 4 South Design is 65% complete*
 - Budget: Project is on budget as of July 15, 2020
 - Phase 4 North Design is at 90% of total task budget
 - Phase 4 South Design at 72% of total task budget
 - Easement Status
 - Phase 4 North: 93% (56/60) easements approved
 - Phase 4 South: 74% (46/62) easements approved.
- *Easement progress is causing the schedule to fall behind for both phase areas.

B. Detailed Design Phase

- o Subconsultant coordination related to Phase 4 Undergrounding
- o Continued development of Equipment Locations and Conduit Plans for Phase 4 North and South.
- o Performed field work to obtain information for equipment placement based on easement meetings with property owners.
- o Continued review of FPL, Comcast, and AT&T Conduit and Equipment Plans, coordination with FPL, Comcast, and AT&T regarding design modifications.
- o Development of Phase 4 North Landscape Plans
- o Development and delivery of easement exhibits to the Town for Phases 4 North and South.
- o Progress Meeting Attendance
- o Meetings and site visits with property owners to discuss easement requests

II. Upcoming Activities (July 21, 2020 – August 20, 2020)

A. Detailed Design Phase

- o Continued coordination with utility owners to refine the design.
- o Continued development and submittal of easement exhibits for Phases 4 North and South.
- o Continued development of Equipment Location and Conduit Plans for Phases 4 North and South.
- o Continued development of Landscape Plans
- o Meetings and site visits with property owners to discuss easement requests.
- o Commercial Service sizing.
- o Progress Meeting attendance.
- o Progress towards Phase 4 North bid documents



Town-Wide Undergrounding - Phase 5 Undergrounding
KHA Project #044063229
July 2020 Progress Report
Period: June 26, 2020 to July 25, 2020

I. Scope Update

A. General

- **Schedule:** Project schedule progress is shown below
 - Phase 5 North Design is 33% complete
 - Phase 5 South Design is 33% complete
- **Budget:** Project is on budget as of July 15, 2020
 - Phase 5 North Design is at 34% of total task budget
 - Phase 5 South Design is at 34% of total task budget
- **Easement Status**
 - Phase 5 North: 7% (5/73) easements approved
 - Phase 5 South: 0% (0/62) easements approved

B. Detailed Design Phase

- Performed soft digs
- Developed conduit routing plans
- Coordinated with utility companies, sub-consultants, and Town
- Attended property owner meetings and prepared easement exhibits
- Attended grant meeting with Town
- Led design meeting with utility companies, sub-consultants, and Town
- Led easement meetings with sub-consultants and Town
- Led coordination meetings with sub-consultants

II. Upcoming Activities (July 26, 2020 – August 25, 2020)

A. Detailed Design Phase

- Perform soft digs
- Develop conduit routing plans
- Coordinate with utility companies, sub-consultants, and Town
- Attend property owner meetings and prepare easement exhibits
- Lead easement meetings with sub-consultants and Town
- Lead coordination meetings with sub-consultants



Town-Wide Undergrounding - Phase 6 Undergrounding

KHA Project #044063247

July 2020 Progress Report

Period: June 26, 2020 to July 25, 2020

I. Scope Update

A. General

- **Schedule:** Project schedule progress is shown below
 - Phase 6 North Design is 22% complete
 - Phase 6 South Design is 21% complete
- **Budget:** Project is on budget as of July 15, 2020
 - Phase 6 North Design is at 19% of total task budget
 - Phase 6 South Design is at 21% of total task budget
- **Easement Status**
 - Phase 6: N/A, will provide status when this work begins

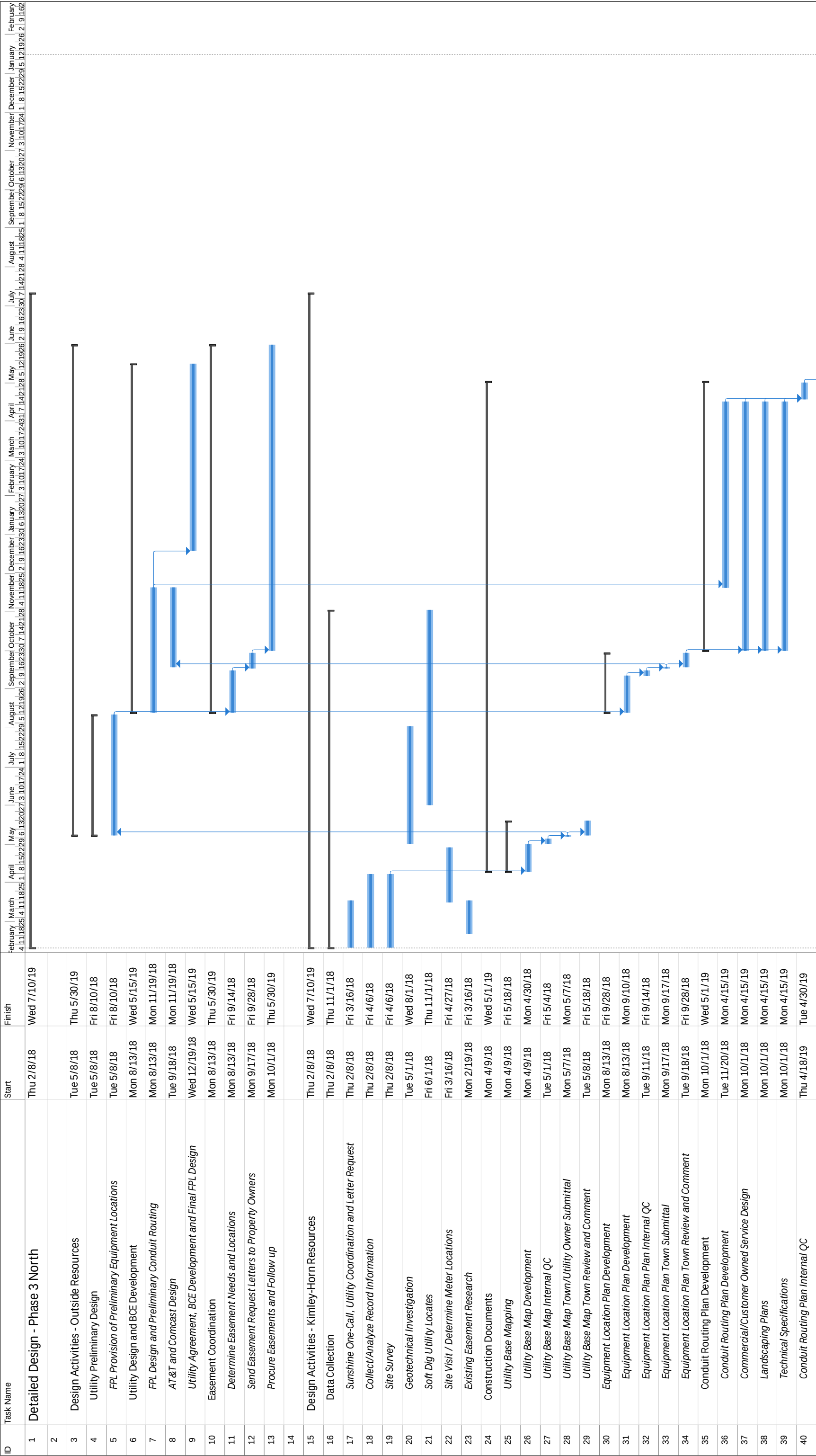
B. Detailed Design Phase

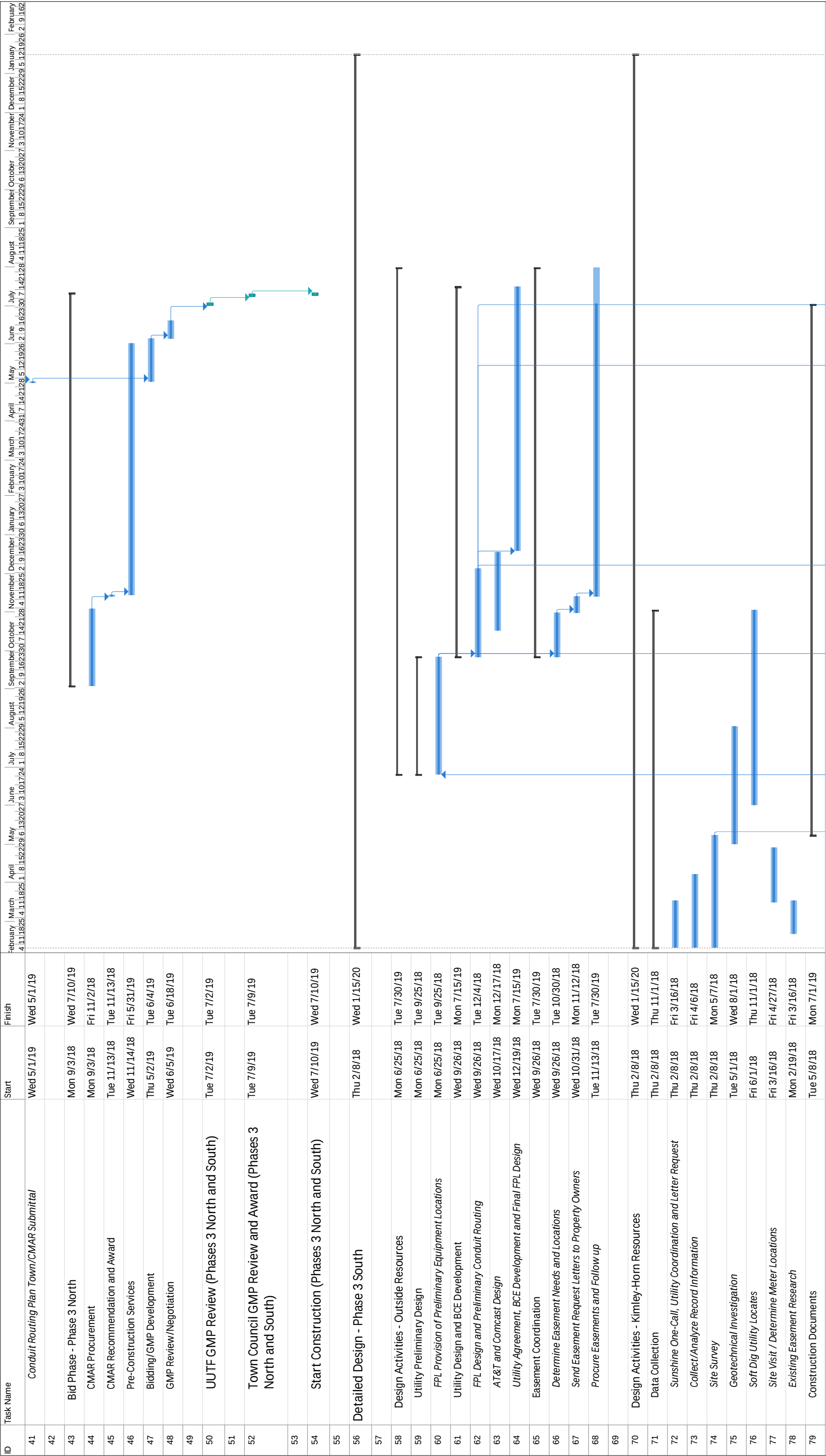
- Awaiting preliminary equipment locations from FPL
- Developed conduit routing plans
- Performed geotechnical investigation
- Coordinated with utility companies, sub-consultants, and Town
- Led coordination meetings with sub-consultants

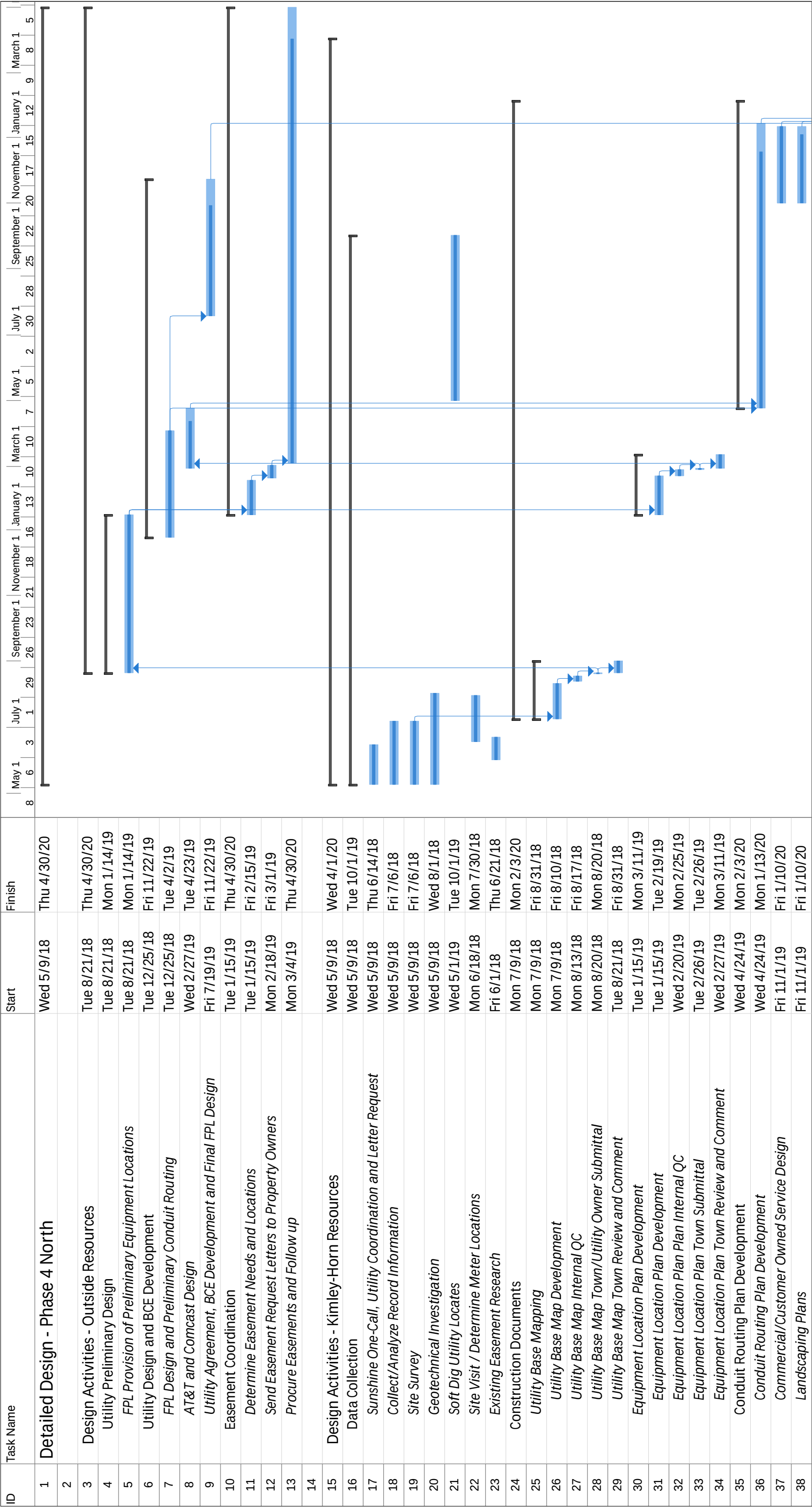
II. Upcoming Activities (July 26, 2020 – August 25, 2020)

A. Detailed Design Phase

- Awaiting preliminary equipment locations from FPL
- Perform geotechnical investigation
- Perform soft digs
- Coordinate with utility companies, sub-consultants, and Town
- Lead coordination meetings with sub-consultants







Project: Phase 4 Detailed Design
Date: Tue 7/21/20

Task

Project Summary

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

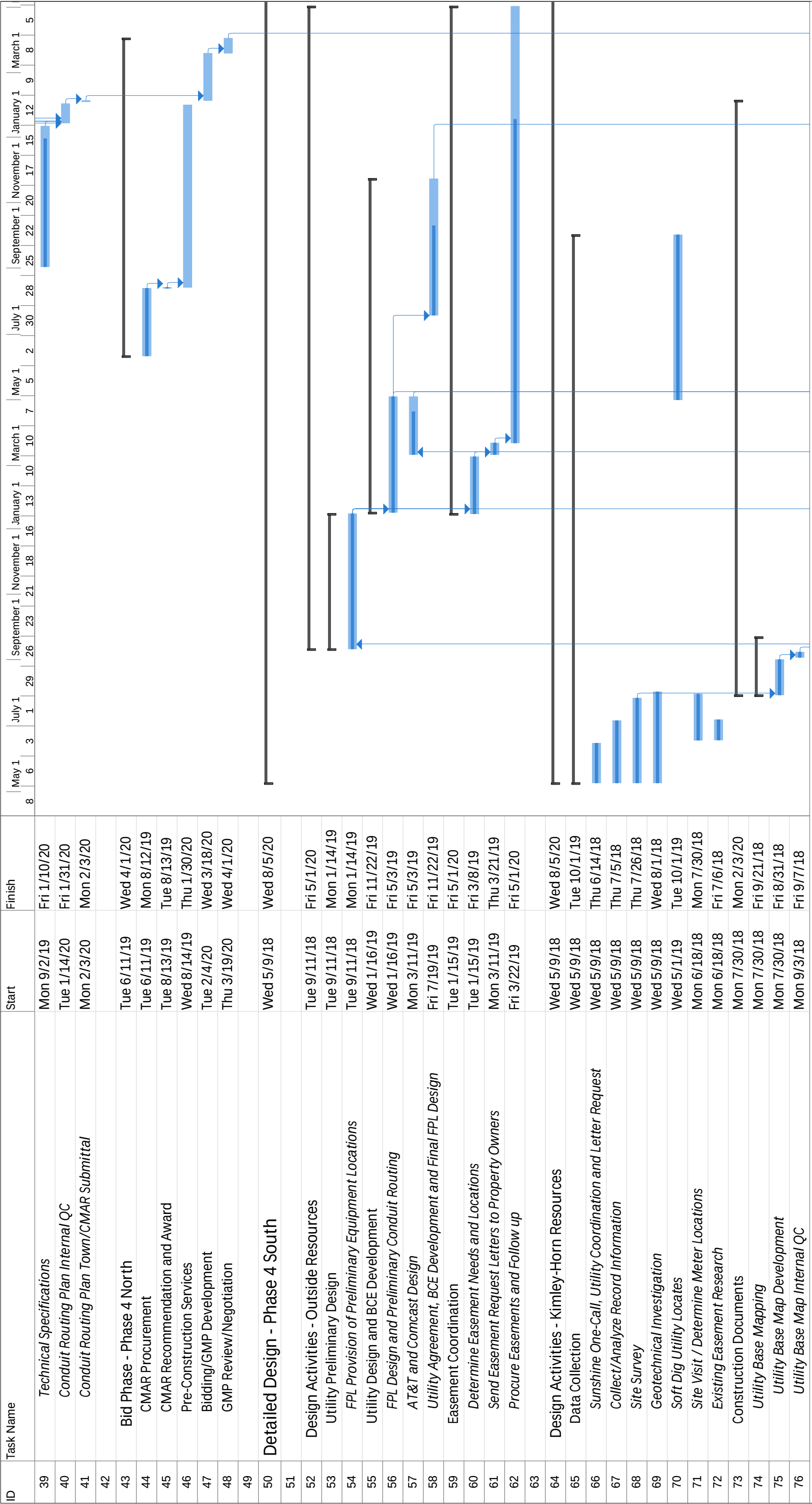
External Tasks

External Milestone

Deadline

Progress

Manual Progress



Project: Phase 4 Detailed Design
Date: Tue 7/21/20

Task

Task

Split

Milestone

Summary

Project Summary

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

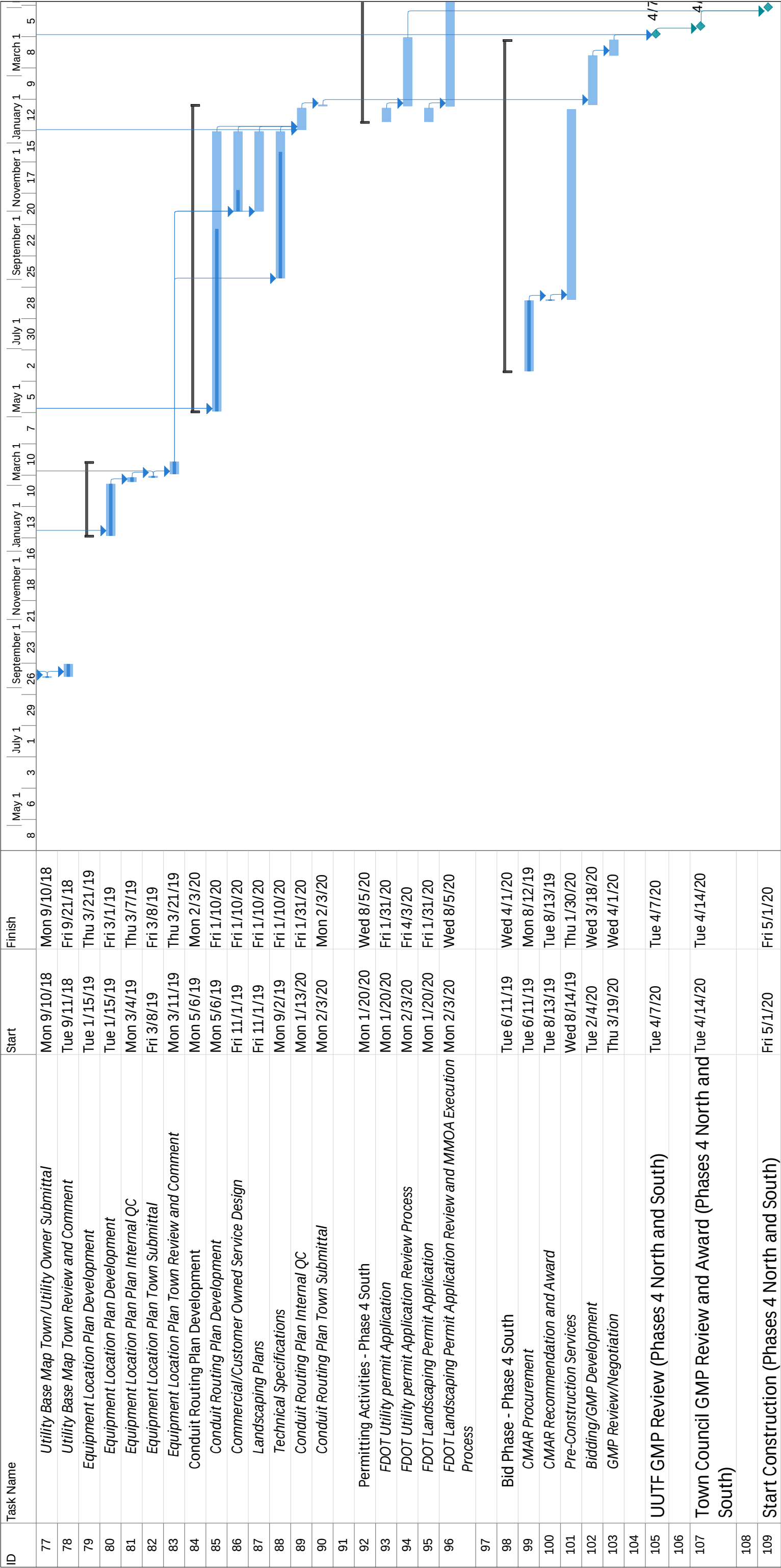
External Tasks

External Milestone

Deadline

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Manual Progress



Project: Phase 4 Detailed Design
Date: Tue 7/21/20

Task

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Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

External Tasks

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Progress

Manual Progress

ID	Task Name	Start	Finish
1	Detailed Design - Phase 5 North	Thu 2/14/19	Fri 4/30/21
2			
3	Design Activities - Outside Resources	Wed 6/19/19	Fri 4/30/21
4	Utility Preliminary Design	Wed 6/19/19	Mon 9/30/19
5	FPL Provision of Preliminary Equipment Locations	Wed 6/19/19	Mon 9/30/19
6	Utility Design and BCE Development	Tue 10/1/19	Fri 4/16/21
7	FPL Design and Preliminary Conduit Routing	Tue 10/1/19	Tue 1/7/20
8	AT&T and Comcast Design	Wed 12/18/19	Tue 2/18/20
9	Utility Agreement, BCE Development and Final FPL Design	Fri 1/15/21	Fri 4/16/21
10	Easement Coordination	Tue 10/1/19	Fri 4/30/21
11	Determine Easement Needs and Locations	Tue 10/1/19	Fri 11/15/19
12	Send Easement Request Letters to Property Owners	Mon 11/18/19	Fri 11/29/19
13	Procure Easements and Follow Up	Mon 12/2/19	Fri 4/30/21
14			
15	Design Activities - Kimley-Horn Resources	Thu 2/14/19	Tue 4/13/21
16	Data Collection	Thu 2/14/19	Thu 7/23/20
17	Sunshine One-Call, Utility Coordination, and Letter Request	Thu 2/14/19	Wed 3/13/19
18	Collect/Analyze Record Information	Thu 2/14/19	Wed 4/10/19
19	Site Survey	Thu 2/14/19	Mon 5/6/19
20	Geotechnical Investigation	Wed 5/1/19	Tue 6/11/19
21	Soft Dig Utility Locates	Fri 5/1/20	Thu 7/23/20
22	Site Visit / Determine Meter Locations	Mon 3/11/19	Fri 3/29/19
23	Existing Easement Research	Mon 3/4/19	Fri 3/22/19
24	Construction Documents	Tue 5/7/19	Wed 2/10/21
25	Utility Base Mapping	Tue 5/7/19	Mon 7/1/19
26	Utility Base Map Development	Tue 5/7/19	Mon 6/10/19
27	Utility Base Map Internal QC	Tue 6/11/19	Mon 6/17/19
28	Utility Base Map Town/Utility Owner Submittal	Tue 6/18/19	Tue 6/18/19
29	Utility Base Map Town Review and Comment	Wed 6/19/19	Mon 7/1/19
30	Equipment Location Plan Development	Tue 10/1/19	Mon 12/30/19
31	Equipment Location Plan Development	Tue 10/1/19	Mon 12/9/19
32	Equipment Location Plan Internal QC	Tue 12/10/19	Mon 12/16/19
33	Equipment Location Plan Town Submittal	Tue 12/17/19	Tue 12/17/19
34	Equipment Location Plan Town Review and Comment	Wed 12/18/19	Mon 12/30/19
35	Conduit Routing Plan Development	Wed 2/19/20	Wed 2/10/21
36	Conduit Routing Plan Development	Wed 2/19/20	Tue 1/19/21
37	Commercial/Customer-Owned Service Design	Fri 8/7/20	Fri 1/15/21

Project: 2019_0226_Schedule
Date: Mon 7/27/20

Task

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External Tasks

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ID	Task Name	Start	Finish	Half 1, 2019 Half 2, 2019 Half 1, 2020 Half 2, 2020 Half 1, 2021 Half 2, 2021																									
38	Landscaping Plan	Fri 8/7/20	Fri 1/15/21																										
39	Technical Specifications	Fri 8/7/20	Fri 1/15/21																										
40	Conduit Routing Plan Internal QC	Wed 1/20/21	Tue 2/9/21																										
41	Conduit Routing Plan Town/CMAR Submittal	Wed 2/10/21	Wed 2/10/21																										
42																													
43	Bid Phase - Phase 5 North	Mon 6/1/20	Tue 4/13/21																										
44	CMAR Procurement	Mon 6/1/20	Wed 9/30/20																										
45	CMAR Recommendation and Award	Tue 10/13/20	Tue 10/13/20																										
46	Preconstruction Services	Wed 10/14/20	Tue 4/13/21																										
47	Bidding/GMP Development	Thu 2/11/21	Wed 3/31/21																										
48	GMP Review/Negotiation	Thu 4/1/21	Fri 4/9/21																										
49																													
50	Detailed Design - Phase 5 South	Thu 2/14/19	Thu 7/29/21																										
51																													
52	Design Activities - Outside Resources	Mon 6/24/19	Fri 4/30/21																										
53	Utility Preliminary Design	Mon 6/24/19	Mon 9/30/19																										
54	FPL Provision of Preliminary Equipment Locations	Mon 6/24/19	Mon 9/30/19																										
55	Utility Design and BCE Development	Tue 10/1/19	Fri 4/16/21																										
56	FPL Design and Preliminary Conduit Routing	Tue 10/1/19	Tue 1/7/20																										
57	AT&T and Comcast Design	Wed 12/18/19	Tue 2/18/20																										
58	Utility Agreement, BCE Development and Final FPL Design	Fri 1/15/21	Fri 4/16/21																										
59	Easement Coordination	Tue 10/1/19	Fri 4/30/21																										
60	Determine Easement Needs and Locations	Tue 10/1/19	Fri 11/15/19																										
61	Send Easement Request Letters to Property Owners	Mon 11/18/19	Fri 11/29/19																										
62	Procure Easements and Follow Up	Mon 12/2/19	Fri 4/30/21																										
63																													
64	Design Activities - Kimley-Horn Resources	Thu 2/14/19	Thu 7/29/21																										
65	Data Collection	Thu 2/14/19	Thu 7/23/20																										
66	Sunshine One-Call, Utility Coordination, and Letter Request	Thu 2/14/19	Wed 3/13/19																										
67	Collect/Analyze Record Information	Thu 2/14/19	Wed 4/10/19																										
68	Site Survey	Thu 2/14/19	Mon 5/6/19																										
69	Geotechnical Investigation	Wed 5/1/19	Tue 6/11/19																										
70	Soft Dig Utility Locates	Fri 5/1/20	Thu 7/23/20																										
71	Site Visit / Determine Meter Locations	Mon 3/11/19	Fri 3/29/19																										
72	Existing Easement Research	Mon 3/4/19	Fri 3/22/19																										
73	Construction Documents	Tue 5/7/19	Wed 2/10/21																										
74	Utility Base Mapping	Tue 5/7/19	Mon 7/1/19																										

Project: 2019_0226_Schedule
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ID	Task Name	Start	Finish	Half 1, 2019 Half 2, 2019 Half 1, 2020 Half 2, 2020 Half 1, 2021 Half 2, 2021																									
75	Utility Base Map Development	Tue 5/7/19	Mon 6/10/19																										
76	Utility Base Map Internal QC	Tue 6/11/19	Mon 6/17/19																										
77	Utility Base Map Town/Utility Owner Submittal	Tue 6/18/19	Tue 6/18/19																										
78	Utility Base Map Town Review and Comment	Wed 6/19/19	Mon 7/1/19																										
79	Equipment Location Plan Development	Tue 10/1/19	Mon 12/30/19																										
80	Equipment Location Plan Development	Tue 10/1/19	Mon 12/9/19																										
81	Equipment Location Plan Internal QC	Tue 12/10/19	Mon 12/16/19																										
82	Equipment Location Plan Town Submittal	Tue 12/17/19	Tue 12/17/19																										
83	Equipment Location Plan Town Review and Comment	Wed 12/18/19	Mon 12/30/19																										
84	Conduit Routing Plan Development	Wed 2/19/20	Wed 2/10/21																										
85	Conduit Routing Plan Development	Wed 2/19/20	Tue 1/19/21																										
86	Commercial/Customer-Owned Service Design	Fri 8/7/20	Fri 1/15/21																										
87	Landscaping Plan	Fri 8/7/20	Fri 1/15/21																										
88	Technical Specifications	Fri 8/7/20	Fri 1/15/21																										
89	Conduit Routing Plan Internal QC	Wed 1/20/21	Tue 2/9/21																										
90	Conduit Routing Plan Town/CMAR Submittal	Wed 2/10/21	Wed 2/10/21																										
91																													
92	Permitting Activities - Phase 5 South	Fri 1/29/21	Thu 7/29/21																										
93	FDOT Utility Permit Application	Fri 1/29/21	Thu 2/11/21																										
94	FDOT Utility Permit Application Review Process	Fri 2/12/21	Thu 4/8/21																										
95	FDOT Landscaping Permit Application	Fri 1/29/21	Thu 2/11/21																										
96	FDOT Landscaping Permit Application Review and MMOA Execution Process	Fri 2/12/21	Thu 7/29/21																										
97																													
98	Bid Phase - Phase 5 South	Mon 6/1/20	Tue 4/13/21																										
99	CMAR Procurement	Mon 6/1/20	Wed 9/30/20																										
100	CMAR Recommendation and Award	Tue 10/13/20	Tue 10/13/20																										
101	Preconstruction Services	Mon 10/26/20	Tue 4/13/21																										
102	Bidding/GMP Development	Tue 2/16/21	Wed 3/31/21																										
103	GMP Review/Negotiation	Thu 4/1/21	Fri 4/9/21																										
104																													
105	Town Council GMP Review and Award (Phases 5 North and South)	Mon 4/12/21	Mon 4/12/21																										
106																													
107	Start Construction (Phases 5 North and South)	Mon 5/3/21	Mon 5/3/21																										

Project: 2019_0226_Schedule
Date: Mon 7/27/20

Task

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External Tasks

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ID	Task Name	Start	Finish
1	Detailed Design - Phase 6 North	Mon 11/4/19	Mon 4/18/22
2			
3	Design Activities - Outside Resources	Fri 3/6/20	Mon 4/18/22
4	Utility Preliminary Design	Fri 3/6/20	Wed 6/17/20
5	FPL Provision of Preliminary Equipment Locations	Fri 3/6/20	Wed 6/17/20
6	Utility Design and BCE Development	Thu 6/18/20	Mon 4/4/22
7	FPL Design and Preliminary Conduit Routing	Thu 6/18/20	Thu 9/24/20
8	AT&T and Comcast Design	Fri 9/4/20	Thu 11/5/20
9	Utility Agreement, BCE Development and Final FPL Design	Mon 1/3/22	Mon 4/4/22
10	Easement Coordination	Thu 6/18/20	Mon 4/18/22
11	Determine Easement Needs and Locations	Thu 6/18/20	Tue 8/4/20
12	Send Easement Request Letters to Property Owners	Wed 8/5/20	Tue 8/18/20
13	Procure Easements and Follow Up	Wed 8/19/20	Mon 4/18/22
14			
15	Design Activities - Kimley-Horn Resources	Mon 11/4/19	Wed 4/13/22
16	Data Collection	Mon 11/4/19	Thu 7/23/20
17	Sunshine One-Call, Utility Coordination, and Letter Request	Mon 11/4/19	Fri 11/29/19
18	Collect/Analyze Record Information	Mon 11/4/19	Fri 12/27/19
19	Site Survey	Mon 11/4/19	Wed 1/22/20
20	Geotechnical Investigation	Fri 5/1/20	Thu 6/11/20
21	Soft Dig Utility Locates	Fri 5/1/20	Thu 7/23/20
22	Site Visit / Determine Meter Locations	Mon 11/11/19	Fri 11/29/19
23	Existing Easement Research	Mon 11/18/19	Fri 12/6/19
24	Construction Documents	Thu 1/23/20	Thu 1/27/22
25	Utility Base Mapping	Thu 1/23/20	Wed 3/18/20
26	Utility Base Map Development	Thu 1/23/20	Wed 2/26/20
27	Utility Base Map Internal QC	Thu 2/27/20	Wed 3/4/20
28	Utility Base Map Town/Utility Owner Submittal	Thu 3/5/20	Thu 3/5/20
29	Utility Base Map Town Review and Comment	Fri 3/6/20	Wed 3/18/20
30	Equipment Location Plan Development	Thu 6/18/20	Wed 9/16/20
31	Equipment Location Plan Development	Thu 6/18/20	Wed 8/26/20
32	Equipment Location Plan Internal QC	Thu 8/27/20	Wed 9/2/20
33	Equipment Location Plan Town Submittal	Thu 9/3/20	Thu 9/3/20
34	Equipment Location Plan Town Review and Comment	Fri 9/4/20	Wed 9/16/20
35	Conduit Routing Plan Development	Fri 11/6/20	Thu 1/27/22
36	Conduit Routing Plan Development	Fri 11/6/20	Thu 12/30/21
37	Commercial/Customer-Owned Service Design	Wed 7/28/21	Wed 1/5/22

Task

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External Tasks

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ID	Task Name	Start	Finish	Half 1, 2020 Half 2, 2020 Half 1, 2021 Half 2, 2021 Half 1, 2022 Half 2, 2022																									
38	Landscaping Plan	Wed 7/28/21	Wed 1/5/22																										
39	Technical Specifications	Wed 7/28/21	Wed 1/5/22																										
40	Conduit Routing Plan Internal QC	Thu 1/6/22	Wed 1/26/22																										
41	Conduit Routing Plan Town/CMAR Submittal	Thu 1/27/22	Thu 1/27/22																										
42																													
43	Bid Phase - Phase 6 North	Fri 5/28/21	Wed 4/13/22																										
44	CMAR Procurement	Fri 5/28/21	Tue 9/28/21																										
45	CMAR Recommendation and Award	Tue 10/12/21	Tue 10/12/21																										
46	Preconstruction Services	Tue 10/26/21	Wed 4/13/22																										
47	Bidding/GMP Development	Fri 1/28/22	Thu 3/17/22																										
48	GMP Review/Negotiation	Fri 3/18/22	Mon 3/28/22																										
49																													
50	Detailed Design - Phase 6 South	Mon 11/4/19	Thu 7/14/22																										
51																													
52	Design Activities - Outside Resources	Fri 3/6/20	Mon 4/18/22																										
53	Utility Preliminary Design	Fri 3/6/20	Wed 6/17/20																										
54	FPL Provision of Preliminary Equipment Locations	Fri 3/6/20	Wed 6/17/20																										
55	Utility Design and BCE Development	Thu 6/18/20	Mon 4/4/22																										
56	FPL Design and Preliminary Conduit Routing	Thu 6/18/20	Thu 9/24/20																										
57	AT&T and Comcast Design	Fri 9/4/20	Thu 11/5/20																										
58	Utility Agreement, BCE Development and Final FPL Design	Mon 1/3/22	Mon 4/4/22																										
59	Easement Coordination	Thu 6/18/20	Mon 4/18/22																										
60	Determine Easement Needs and Locations	Thu 6/18/20	Tue 8/4/20																										
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66	Sunshine One-Call, Utility Coordination, and Letter Request	Mon 11/4/19	Fri 11/29/19																										
67	Collect/Analyze Record Information	Mon 11/4/19	Fri 12/27/19																										
68	Site Survey	Mon 11/4/19	Wed 1/22/20																										
69	Geotechnical Investigation	Fri 5/1/20	Thu 6/11/20																										
70	Soft Dig Utility Locates	Fri 5/1/20	Thu 7/23/20																										
71	Site Visit / Determine Meter Locations	Mon 11/11/19	Fri 11/29/19																										
72	Existing Easement Research	Mon 11/18/19	Fri 12/6/19																										
73	Construction Documents	Thu 1/23/20	Thu 1/27/22																										
74	Utility Base Mapping	Thu 1/23/20	Wed 3/18/20																										

Project: 2019_0226_Schedule
Date: Mon 7/27/20

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Start-only

Finish-only

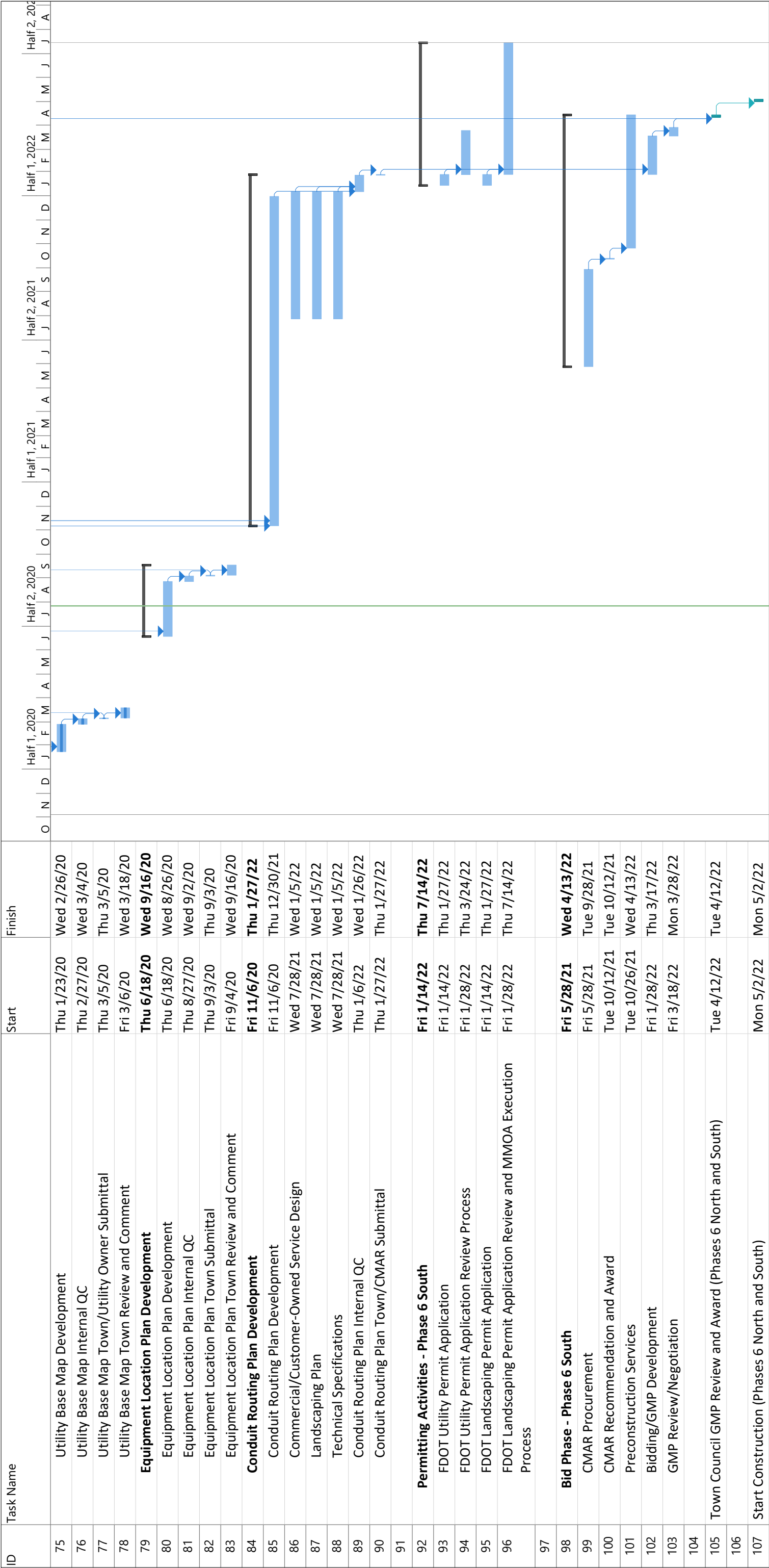
External Tasks

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Vincent G. Burkhardt
President



Executive Summary

TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 2 NORTH
PRELIMINARY SCHEDULE
RFQ No. 2018-03

ID	Task Name	% Comple	Duration	Start	Finish
1	Phase 2 NORTH	91%	399 days?	Tue 8/14/18	Fri 2/21/20
2	Town Council Approval	100%	1 day	Tue 8/14/18	Tue 8/14/18
3	Award Prime Contract	100%	13 days	Wed 8/15/18	Fri 8/31/18
4	Permitting	100%	14 days	Wed 8/15/18	Mon 9/3/18
5	Customer Owned Service Connection Permitting	100%	14 days	Wed 8/15/18	Mon 9/3/18
6	Sub Contract Agreements	100%	14 days	Wed 8/15/18	Mon 9/3/18
7	Material Procurement	100%	11 days	Mon 8/20/18	Mon 9/3/18
8	Underground Conduit Installation, Primary/Secondary (FPL, ATT, Comcast)	100%	240 days	Mon 9/3/18	Fri 8/2/19
9	Feeder Splice Box Installation	100%	140 days	Sun 12/30/18	Thu 7/11/19
10	Set Transformers / Switch Cabinets (FPL)	100%	155 days	Sun 1/13/19	Thu 8/15/19
11	Secondary Services / Wire	100%	235 days	Mon 11/5/18	Fri 9/27/19
12	As-Built Submission / Review (FPL)	100%	220 days	Mon 2/11/19	Fri 12/13/19
13	Pull Wire / Terminations Primary (FPL)	100%	145 days	Mon 2/18/19	Fri 9/6/19
14	*ATT Rod Conduit, Pull Wire, Set Pedestals	98%	180 days	Mon 3/11/19	Fri 11/15/19
15	*Comcast Pull Wire, Set Pedestals	100%	180 days	Mon 3/11/19	Fri 11/15/19
16	Cut over / Overhead Removal (ATT/Comcast)	85%	150 days	Mon 6/3/19	Fri 12/27/19
17	Energize Underground (FPL)	100%	140 days	Mon 4/8/19	Fri 10/18/19
18	Secondary Service Switch Over (FPL)	100%	180 days	Fri 4/19/19	Thu 12/26/19
19	** Demo Overhead / Remove Poles (FPL) / Final Restoration	0%	180 days	Mon 6/17/19	Fri 2/21/20
20	*This Work Will Be Performed By ATT/COMCAST Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of	0%			
21	**This Work Must Be Performed By FPL Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of Burkhardt Construction, Inc.	0%			
22	Storm Drainage	100%	30 days	Mon 8/12/19	Fri 9/20/19



TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 2 SOUTH
PRELIMINARY SCHEDULE
RFQ No. 2019-03



ID	Task Name	% Compl	Duration	Start	Finish
1	PHASE 2 SOUTH	14%	525 days	Mon 3/16/20	Fri 3/18/22
2	Town Council Approval	10...	1 day	Tue 11/12/19	Tue 11/12/19
3	Award Prime Contract	10...	5 days	Tue 11/12/19	Mon 11/18/19
4	Permitting	10...	20 days	Tue 11/12/19	Mon 12/9/19
5	Customer Owned Service Connection Permitting	10...	20 days	Tue 11/12/19	Mon 12/9/19
6	Sub Contract Agreements	10...	20 days	Tue 11/12/19	Mon 12/9/19
7	Material Procurement	95%	20 days	Tue 11/12/19	Mon 12/9/19
8	Underground Conduit Installation, Primary/Secondary (FPL, ATT, Comcast)	25%	350 days	Mon 3/16/20	Fri 7/16/21
9	As-Built Submission / Review (FPL)	15%	311 days	Fri 5/15/20	Fri 7/23/21
10	Secondary Services / Wire	0%	204 days	Thu 9/24/20	Tue 7/6/21
11	Feeder Splice Box Installation	25%	161 days	Tue 11/24/20	Tue 7/6/21
12	Set Transformers / Switch Cabinets (FPL)	0%	161 days	Tue 11/24/20	Tue 7/6/21
13	Pull Wire / Terminations Primary (FPL)	0%	181 days	Tue 1/5/21	Tue 9/14/21
14	*ATT Rod Conduit, Pull Wire, Set Pedestals	0%	120 days	Tue 1/5/21	Mon 6/21/21
15	*Comcast Pull Wire, Set Pedestals	0%	120 days	Tue 1/5/21	Mon 6/21/21
16	Cut over / Overhead Removal (ATT/Comcast)	0%	40 days	Mon 6/28/21	Fri 8/20/21
17	Energize Underground (FPL)	0%	40 days	Fri 8/27/21	Thu 10/21/21
18	Secondary Service Switch Over (FPL)	0%	50 days	Fri 8/27/21	Thu 11/4/21
19	** Demo Overhead / Remove Poles (FPL) / Final Restoration	0%	72 days	Thu 11/4/21	Fri 2/11/22
20	*This Work Will Be Performed By ATT/COMCAST Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of Burkhardt Construction, Inc.	0%			
21	**This Work Must Be Performed By FPL Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of Burkhardt Construction, Inc.	0%			



TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 3 NORTH
PRELIMINARY SCHEDULE
RFQ No. 2018-03



ID	Task Name	% Complete	Duration	Start	Finish	Qtr 3, 2019 Jul	Qtr 3, 2019 Aug	Qtr 3, 2019 Sep	Qtr 4, 2019 Oct	Qtr 4, 2019 Nov	Qtr 1, 2020 Jan	Qtr 1, 2020 Feb	Qtr 1, 2020 Mar	Qtr 2, 2020 Apr	Qtr 2, 2020 May	Qtr 3, 2020 Jul	Qtr 3, 2020 Aug	Qtr 3, 2020 Sep	Qtr 4, 2020 Oct	Qtr 4, 2020 Nov	Qtr 1, 2021 Jan	Qtr 1, 2021 Feb	Qtr 1, 2021 Mar	Qtr 2, 2021 Apr	Qtr 2, 2021 May
1	PHASE 3 NORTH	69%	444 days?	Wed 8/14/19	Mon 4/26/21																				
2	Town Council Approval	100%	1 day	Wed 8/14/19	Wed 8/14/19																				
3	Award Prime Contract	100%	13 days	Thu 8/15/19	Mon 9/2/19																				
4	Permitting	100%	14 days	Thu 8/15/19	Tue 9/3/19																				
5	Customer Owned Service Connection Permitting	100%	14 days	Thu 8/15/19	Tue 9/3/19																				
6	Sub Contract Agreements	100%	14 days	Thu 8/15/19	Tue 9/3/19																				
7	Material Procurement	100%	55 days	Tue 8/20/19	Sun 11/3/19																				
8	Underground Conduit Installation, Primary/Secondary (FPL, ATT, Comcast)	95%	240 days	Mon 11/4/19	Fri 10/2/20																				
9	As-Built Submission / Review (FPL)	80%	200 days	Fri 1/3/20	Thu 10/8/20																				
10	Secondary Services / Wire	95%	100 days	Fri 5/8/20	Thu 9/24/20																				
11	Feeder Splice Box Installation	75%	55 days	Fri 7/10/20	Thu 9/24/20																				
12	Set Transformers / Switch Cabinets (FPL)	95%	55 days	Fri 7/10/20	Thu 9/24/20																				
13	Pull Wire / Terminations Primary (FPL)	75%	85 days	Fri 8/14/20	Thu 12/10/20																				
14	*ATT Rod Conduit, Pull Wire, Set Pedestals	0%	55 days	Fri 8/14/20	Thu 10/29/20																				
15	*Comcast Pull Wire, Set Pedestals	5%	55 days	Fri 8/14/20	Thu 10/29/20																				
16	Cut over / Overhead Removal (ATT/Comcast)	0%	20 days	Fri 11/6/20	Thu 12/3/20																				
17	Energize Underground (FPL)	0%	20 days	Tue 12/15/20	Mon 1/11/21																				
18	Secondary Service Switch Over (FPL)	0%	35 days	Tue 12/15/20	Mon 2/1/21																				
19	** Demo Overhead / Remove Poles (FPL) / Final Restoration	0%	57 days	Fri 2/5/21	Mon 4/26/21																				
20	*This Work Will Be Performed By ATT/COMCAST Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of Burkhardt Construction, Inc.	0%																							
21	**This Work Must Be Performed By FPL Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of Burkhardt Construction, Inc.	0%																							



Underground Utility Project Budget
Project Financial Summary
July 31, 2020

Expenditures	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 1	\$ 12,620,000	\$ 12,910,000	\$ 12,829,947	\$ 12,843,681	100.1%
Phase 2	\$ 9,170,000	\$ 13,470,000	\$ 12,915,885	\$ 6,677,746	51.7%
Phase 3	\$ 10,910,000	\$ 15,400,000	\$ 6,088,978	\$ 4,817,992	79.1%
Phase 4	\$ 10,370,000	\$ 15,220,000	\$ 1,335,096	\$ 1,004,364	75.2%
Phase 5 (Includes \$8.5 Million FEMA Grant Offset)	\$ 14,090,000	\$ 11,694,645	\$ 1,609,805	\$ 504,822	31.4%
Phase 6	\$ 16,820,000	\$ 20,800,000	\$ 1,921,608	\$ 404,287	21.0%
Phase 7	\$ 11,730,000	\$ 15,910,000	\$ -	\$ -	
Phase 8	\$ 12,300,000	\$ 14,500,000	\$ -	\$ -	
Total Project Costs To Date	\$ 98,010,000	\$ 119,904,645	\$ 36,701,320	\$ 26,252,892	71.5%
Other Costs Associated Directly with the Project (Page 8)	\$ 570,000	\$ 1,180,414	\$ 1,180,414	\$ 928,441	78.7%
Grand Total of Costs Related to Project	\$ 98,580,000	\$ 121,085,059	\$ 37,881,734	\$ 27,181,332	71.8%
Debt Service and Related Debt Issuance Costs (Page 8)			\$ 6,098,350	\$ 4,636,639	76.0%
Total Other Costs Outside Underground Budget (Page 8)			\$ 1,158,567	\$ 2,018,761	174.2%
Grand Total of All Costs Related to the Project	\$ 98,580,000	\$ 121,085,059	\$ 39,040,301	\$ 29,200,093	74.8%

Total Project Budget - Opinion of cost for construction	\$ 121,085,059
% Budgeted/Encumbered To Date Project Costs	31.29%
% Spent to Date - Project Costs	22.45%

Project Revenues Received

Revenues	Budget	Actual	% of Budget
Revenues			
Prepaid Assessments	\$ -	\$ 11,980,202	0.0%
Assessment Revenue	\$ 13,380,000	\$ 12,954,146	96.8%
Commercial Paper	\$ -	\$ -	0.0%
Town Owned Property Prepaid Assessments	\$ 2,797,291	\$ 2,797,291	100.0%
Interest on Assessment Escrow	\$ -	\$ 396,389	0.0%
Interest	\$ 512,000	\$ 2,162,897	422.4%
GO Bond Proceeds	\$ 60,500,000	\$ 60,499,897	100.0%
1 Cent Sales Tax	\$ 5,000,000	\$ 1,916,667	38.3%
FPL		\$ 450,246	0.0%
FEMA Grant	\$ 8,500,000	\$ -	0.0%
Other			
Kevin McGann - CO #9	\$ -	\$ 34,900	0.0%
Donations - Civic Association	\$ 49,250	\$ 49,250	100.0%
Transfer from (307) Fund CIP	\$ 760,200	\$ 760,200	100.0%
Transfer from (001) General Fund - PM Salary	\$ 409,450	\$ 385,375	94.1%
Total Project Revenues	\$ 91,908,191	\$ 94,387,460	102.7%

Underground Utility Project Budget
Phase 1 Project Costs
July 31, 2020

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Project Engineering					
Task 2.1 - Detailed Design North End	590,000		472,063	472,063	100.0%
Task 2.2 - Detailed Design South End	740,000		619,411	619,411	100.0%
Task 2.3 - Permitting Assistance			17,790	17,790	100.0%
Task 2.4 - Bid Phase Assistance			42,166	42,166	100.0%
Task 2.5 - Meetings - Design Phase			125,399	125,383	100.0%
Subtotal Design Phase	\$ 1,330,000	\$ 1,280,000	\$ 1,276,829	\$ 1,276,813	100.0%
Construction Costs					
Phase 1 North Construction					
Preconstruction			\$ 19,720	19,720	100.0%
Burkhardt Construction			\$ 3,598,144	3,598,144	100.0%
Street Light Conversion			\$ 26,273	113,399	431.6%
Change Order for AT&T and Comcast Conduit			\$ 371,201	371,201	100.0%
Other Change orders			\$ 130,415	130,415	100.0%
Utility Design Costs			\$ 15,595	15,595	100.0%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 476,776	483,548	101.4%
Construction Engineering (KH)			\$ 230,532	205,818	89.3%
	\$ 4,210,000	\$ 4,930,000	\$ 4,868,657	\$ 4,937,840	101.4%
Phase 1 South Construction					
Preconstruction			\$ 22,200	22,200	100.0%
Whiting Turner Construction			\$ 4,450,977	4,450,977	100.0%
Change Order for AT&T and Comcast Conduit			\$ 125,147	125,147	100.0%
Other Approved Change Orders			\$ 12,749	12,749	100.0%
Utility Design Costs			\$ 33,013	33,013	100.0%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 1,374,193	1,362,028	99.1%
Construction Engineering (KH)			\$ 316,498	315,453	99.7%
	\$ 6,800,000	\$ 6,350,000	\$ 6,334,777	\$ 6,321,566	99.8%
Easement Recording Fees			\$ 347	740	
Legal Costs/Easement Acquisition - Jones Foster	\$ 280,000	\$ 350,000	\$ 301,359	\$ 306,723	101.8%
Legal Sketch and Description - Easements			34,000	33,215	97.7%
Easement Abandonment					
Surveying			\$ 13,978		
Temp Service					
Total Phase 1 Costs	\$ 12,620,000	\$ 12,910,000	\$ 12,829,947	\$ 12,843,681	100.1%

Underground Utility Project Budget
Phase 2 Project Costs
July 31, 2020

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 2 Design					
Kimley Horn					
Task 1.1 Phase 2 North Design	335,000		\$ 281,304	\$ 281,304	100.0%
Task 1.2 Phase 2 South Design	400,000		\$ 335,353	\$ 335,353	100.0%
Task 1.3 Permitting Assistance North and South			\$ 12,674	\$ 12,674	100.0%
Task 1.4 Bid Phase Assistance North and South			\$ 40,565	\$ 40,565	100.0%
Task 1.6 Meetings North and South			\$ 136,617	\$ 129,348	94.7%
Total Phase 2 Design	\$ 735,000	\$ 807,000	\$ 806,513	\$ 799,244	99.1%
Construction Costs					
Phase 2 North Construction					
Preconstruction			\$ 35,000	31,970	91.3%
Burkhardt Construction			\$ 4,015,865	3,809,827	94.9%
Approved Change Orders			\$ -	-	
FPL Design Cost			\$ 11,759	1,350	11.5%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost				\$ 4,582	
Utility Costs (FPL, Comcast, AT&T)			\$ 496,307	\$ 496,307	100.0%
FPL - Additional Vista Switches				\$ 54,938	
Street Light Conversion			\$ 19,186	\$ 19,186	100.0%
Construction Engineering (KH)			\$ 248,121	\$ 225,888	91.0%
Total Phase 2 North Construction	3,800,000	5,020,000	\$ 4,831,238	\$ 4,649,049	96.2%
Phase 2 South Construction	-				
Preconstruction			\$ 35,000	-	
Burkhardt Construction			\$ 6,494,596	767,614	11.8%
Approved Change Orders			\$ -		
FPL Design Cost			\$ 13,330	14,200	106.5%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost			\$ 5,000	\$ 4,582	91.6%
Utility Costs (FPL, Comcast, AT&T)			\$ 200,000	\$ 123,948	62.0%
Street Light Conversion			\$ 20,000	\$ 19,268	96.3%
Construction Engineering (KH)	-		\$ 282,973	\$ 90,974	32.1%
Total Phase 2 South Construction	4,435,000	7,424,000	\$ 7,055,899	\$ 1,025,586	14.5%
Easement Acquisition/Abandonment	200,000	219,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1.5 Easement Assistance North			\$ 64,936	\$ 64,935	100.0%
Task 1.5 Easement Assistance South			\$ 77,466	\$ 77,467	100.0%
<i>Surveys</i>					
Task 1.7 Legal Sketch North			\$ 14,020	\$ 14,020	100.0%
Task 1.7 Legal Sketch South			\$ 21,725	\$ 19,659	90.5%
Advertising				\$ 1,101	
Jones Foster - Legal			\$ 25,000	\$ 23,325	93.3%
Postage			\$ -	\$ 491	
Recording Costs			\$ 3,605	\$ 2,869	79.6%
Easement Abandonment			\$ 15,484	\$ -	0.0%
Total Easement Acquisition Costs	200,000	219,000	\$ 222,236	\$ 203,867	91.7%
Total Phase 2 Costs	\$ 9,170,000	\$ 13,470,000	\$ 12,915,885	\$ 6,677,746	51.7%

Underground Utility Project Budget
Phase 3 Project Costs
July 31, 2020

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 3 Design					
Kimley Horn					
Task 1.1 Phase 3 North Design	\$ 325,000		\$ 280,189	\$ 280,189	100.0%
Task 1.2 Phase 3 South Design	\$ 535,000		\$ 486,333	\$ 486,323	100.0%
Task 1.3 Permitting Assistance			\$ 13,739	\$ 8,243	60.0%
Task 1.4 Bid Phase Assistance			\$ 36,834	\$ 18,417	50.0%
Task 1.5 Meetings			\$ 77,411	\$ 76,626	99.0%
Total Phase 3 Design	\$ 860,000	\$ 895,000	\$ 894,505	\$ 869,797	97.2%
Construction Costs					
Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000			
Preconstruction			\$ 24,580	\$ 24,580	100.0%
Construction - Burkhardt			\$ 4,042,171	\$ 2,854,089	70.6%
Approved Change Orders					
FPL Design Cost			\$ 12,850	\$ 1,350	10.5%
ATT Design Cost				\$ 5,000	
Comcast Design Cost				\$ 3,128	
FPL Construction			\$ 87,101	\$ 87,101	100.0%
Street Light Conversion				\$ 4,249	
Utility Costs (Comcast & ATT)				\$ 155,330	
Construction Engineering (KH)			\$ 236,976	\$ 139,886	59.0%
Daniella Construction - Nightingale/LaPuerta - Townwide portion			\$ 243,470	\$ 243,470	100.0%
FPL Nightingale/LaPuerta - Townwide Portion			\$ 74,900	\$ 74,900	100.0%
Comcast Nightingale/LaPuerta - Townwide Portion			\$ 8,885	\$ 8,885	100.0%
AT&T Nightingale/LaPuerta Townwide Portion			\$ 30,555	\$ 30,555	100.0%
Total Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000	\$ 4,761,488	\$ 3,632,521	76.3%
Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 11,359	6,950	61.2%
ATT Design Cost			\$ 5,000	5,000	100.0%
Comcast Design Cost			\$ 3,128	3,128	100.0%
Construction Engineering (KH)					
Total Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000	\$ 19,487	\$ 15,078	77.4%
Easement Acquisition/Abandonment	\$ 260,000	\$ 330,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1 Easement Assistance North and South			\$ 273,390	\$ 270,913	99.1%
Legal Advertising				\$ 1,076	
Easement Amendment			\$ 49,285	\$ 12,892	
<i>Surveys</i>					
Task Legal Sketch South			\$ 37,436		
Jones Foster - Legal			\$ 25,000	\$ 11,775	
Recording Costs				\$ 3,939	
Easement Abandonment			\$ 28,387	\$ -	
Total Easement Acquisition Costs	\$ 260,000	\$ 330,000	\$ 413,498	\$ 300,596	72.7%
Total Phase 3 Costs	\$ 10,910,000	\$ 15,400,000	\$ 6,088,978	\$ 4,817,992	79.1%

Underground Utility Project Budget
Phase 4 Project Costs
July 31, 2020

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 4 Design					
Kimley Horn					
Task 1.1 Phase 4 North Design	\$ 402,000		\$ 312,317	281,085	90.0%
Task 1.2 Phase 4 South Design	\$ 413,000		\$ 451,284	293,335	65.0%
Task 1.3 Permitting Assistance			\$ 14,468	-	0.0%
Task 1.4 Bid Phase Assistance			\$ 37,899	-	0.0%
Task 1.6 Meetings			\$ 77,911	66,741	85.7%
Total Phase 4 Design	\$ 815,000	\$ 894,000	\$ 893,879	641,161	71.7%
Construction Costs					
Phase 4 North Construction	4,605,000	6,275,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 12,757		
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 4 North Construction	\$ 4,605,000	\$ 6,275,000	\$ 12,757	8,128	63.7%
Phase 4 South Construction	4,710,000	7,640,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 13,160	1,350	
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 4 South Construction	\$ 4,710,000	\$ 7,640,000	\$ 13,160	9,478	72.0%
Easement Acquisition/Abandonment	\$ 240,000	\$ 411,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance (KH)			\$ 280,270	280,184	100.0%
Easement Assistance (KH) -- Switches			\$ 67,747	36,105	53.3%
<i>Surveys</i>					
Legal Sketch			\$ 38,230	26,455	69.2%
Legal Sketch - Switches			\$ 4,967		
Jones Foster - Legal					
Recording Costs				2,853	
Easement Abandonment			\$ 24,086		
Total Easement Acquisition Costs	\$ 240,000	\$ 411,000	\$ 415,300	345,598	83.2%
Total Phase 4 Costs	\$ 10,370,000	\$ 15,220,000	\$ 1,335,096	1,004,364	75.2%

Underground Utility Project Budget
Phase 5 Project Costs
July 31, 2020

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 5					
Kimley Horn					
Task 1.1 Phase 5 North Design	\$ 520,000		\$ 454,210	\$ 172,600	38.0%
Task 1.2 Phase 5 South Design	\$ 600,000		\$ 606,951	\$ 230,641	38.0%
Task 1.3 Permitting Assistance North					0.0%
Task 1.3 Permitting Assistance South			\$ 17,100		0.0%
Task 1.4 Bid Phase Assistance North			\$ 37,899		0.0%
Task 1.4 Bid Phase Assistance South					0.0%
Task 1.6 Meetings North			\$ 77,911	\$ 20,383	26.2%
Task 1.6 Meetings South					0.0%
Total Phase 5 Design	\$ 1,120,000	\$ 1,195,000	\$ 1,194,071	\$ 423,624	35.5%
Construction Costs					
Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000			
Preconstruction					
Construction					
Utility Costs (FPL, Comcast, AT&T)					
AT&T Design			\$ 5,000	5,000	100.0%
FPL Design Costs			\$ 16,223	17,573	108.3%
Construction Engineering (KH)					
Total Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000	\$ 21,223	\$ 22,573	106.4%
Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000			
Preconstruction					
Construction					
Utility Costs (FPL, Comcast, AT&T)					
AT&T Design			\$ 5,000	5,000	100.0%
FPL Design Costs			\$ 19,283	20,633	107.0%
Construction Engineering (KH)					
Total Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000	\$ 24,283	\$ 25,633	105.6%
Easement Acquisition/Abandonment	\$ 330,000	\$ 365,000			
<i>Kimley Horn Easement Assistance</i>					
<i>Easement Assistance</i>			\$ 218,600	\$ 29,299	13.4%
Easement Assistance			\$ 81,086	\$ 3,581	4.4%
<i>Surveys</i>					
Legal Sketch			\$ 41,080		
Jones Foster - Legal					
Recording Costs				\$ 111	
Easement Abandonment			\$ 29,462	\$ -	
Total Easement Acquisition Costs	\$ 330,000	\$ 365,000	\$ 370,228	\$ 32,992	8.9%
Fema Grant		\$ (8,465,355)			
Total Phase 5 Costs	\$14,090,000	\$11,694,645	\$ 1,609,805	\$ 504,822	31.4%

Underground Utility Project Budget
Phase 6 Project Costs
July 31, 2020

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 6 Design					
Kimley Horn					
Task 1.1 Phase 6 North Design	\$ 420,000		\$ 475,019	\$ 128,255	27.0%
Task 1.2 Phase 6 South Design	\$ 940,000		\$ 826,551	\$ 231,434	28.0%
Task 1.3 Permitting Assistance North					0.0%
Task 1.3 Permitting Assistance South			\$ 17,694		0.0%
Task 1.4 Bid Phase Assistance North			\$ 35,938		0.0%
Task 1.4 Bid Phase Assistance South					0.0%
Task 1.6 Meetings North			\$ 84,791	\$ 5,675	6.7%
Total Phase 6 Design	\$ 1,360,000	\$ 1,440,000	\$ 1,439,993	\$ 365,364	25.4%
Utility and Construction Costs					
Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 15,868	15,868	100.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000	\$ 15,868	\$ 15,868	100.0%
Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 19,394	19,394	100.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000	\$ 19,394	\$ 19,394	100.0%
Easement Acquisition/Abandonment	\$ 400,000	\$ 447,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 351,594	\$ 3,385	1.0%
Surveys					
Legal Sketch			\$ 58,415		0.0%
Jones Foster - Legal					
Recording Costs				\$ 276	
Easement Abandonment			\$ 36,344	-	0.0%
Total Easement Acquisition Costs	\$ 400,000	\$ 447,000	\$ 446,353	\$ 3,661	0.8%
Total Phase 6 Costs	\$ 16,820,000	\$ 20,800,000	\$ 1,921,608	\$ 404,287	21.0%

Underground Utility Project Budget
Other Project Costs
July 31, 2020

Master Plan	Budget	Actual	% Expended
Task 1.1 - Data Collection & GIS Base Mapping	\$ 88,021	\$ 88,021	100.0%
Task 1.1a Data Collection for Future Communications	\$ 23,511	\$ 23,511	100.0%
Task 1.2 - Conceptual Design and Master Plan	\$ 161,756	\$ 161,756	100.0%
Task 1.3 - Project Sequencing and Phasing	\$ 31,244	\$ 31,244	100.0%
Task 1.4 - Assessment of Traffic Impacts	\$ 77,660	\$ 77,660	100.0%
Task 1.5 - Project Delivery Methods	\$ 17,448	\$ 17,448	100.0%
Task 1.6 - Master Plan Document	\$ 45,053	\$ 45,053	100.0%
Task 1.7 - Meetings Master Planning Phase	\$ 113,135	\$ 113,123	100.0%
Task 1.8 - Master Plan Second Half	\$ 40,067	\$ 40,067	100.0%
Subtotal Master Planning	\$ 597,895	\$ 597,883	100.0%
Comcast Preplanning - Master Plan		\$ 12,015	
Easement Abandonment	\$ 200,000	\$ 7,645	3.8%
Community Outreach	\$ 282,519	\$ 210,898	74.6%
Peer Review Study - Patterson & Dewar (\$50,000 Offsetting Revenue)	\$ 100,000	\$ 100,000	100.0%
Total Other Project Costs	\$ 1,180,414	\$ 928,441	78.7%

Debt Service and Related Debt Issuance Costs

	Budget	Actual	% Expended
Commercial Paper Issuance Cost		\$ 195,366	
Commercial Paper Fees		\$ 52,252	
Commercial Paper Interest		\$ 243,096	
GO Bond Closing Costs		\$ 487,471	
GO Bond Debt Service	\$ 6,098,350	\$ 5,852,631	96.0%
Total Debt Service and Related Debt Issuance Costs	\$ 6,098,350	\$ 6,830,814	112.0%

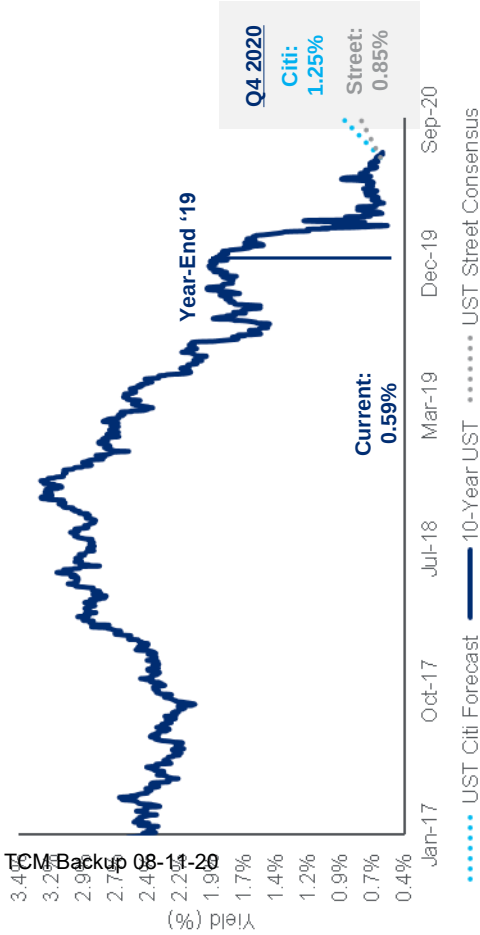
Related Costs Outside of the Underground Project Budget

	Budget	Actual	% Expended
Costs paid from (307) Fund CIP			
Underground City of Lake Worth Section			
Project Design	\$ 25,231	\$ 24,430	96.8%
Project Construction	\$ 351,081	\$ 346,124	98.6%
Project Construction Engineering	\$ 11,607	\$ 12,849	110.7%
Utility Cost (FPL, Comcast, AT&T)	\$ 134,333	\$ 127,531	94.9%
Project Meeting Attendance	\$ 3,334	\$ 2,914	87.4%
Total Lake Worth Section	\$ 525,586	\$ 513,847	97.8%
Ibis Way PGD Improvements	\$ 14,583	\$ 14,583	100.0%
General Fund Costs			
Goldmacher v TPB Legal and Other Costs		\$ 183,701	
Kosberg v TPB Legal and Other Costs		\$ 525,260	
PBT Real Estate v TPB		\$ 159,408	
Gardner, Bist Bowden, Bush (Shef Wright)		\$ 24,799	
Temp Services - Easement acquisition	\$ 40,000	\$ 58,137	145.3%
Project Manager -Pay and benefits	\$ 454,398	\$ 432,081	95.1%
Telecommunications Consultant	\$ 89,000	\$ 83,210	93.5%
Peter Brandt (Contract Negotiations)	\$ 35,000	\$ 23,735	67.8%
Total Related Costs Outside of the Budget	\$ 1,158,567	\$ 2,018,761	174.2%

U.S. Rate Forecasts

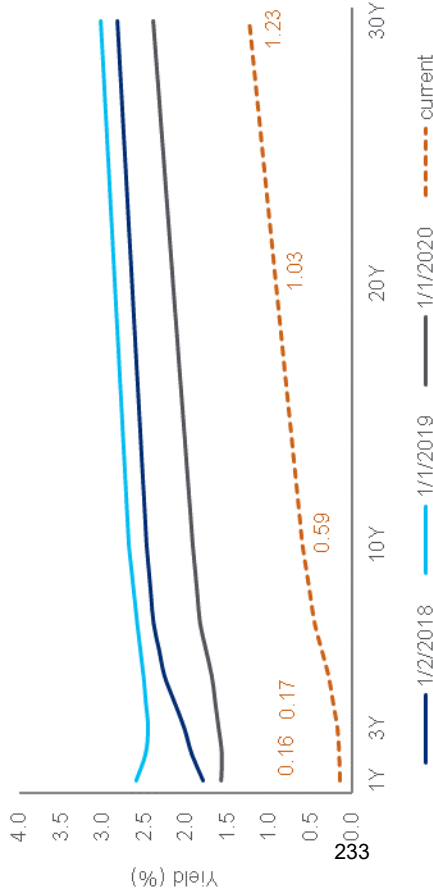
10-Year Treasury Yield Forecast

Citi is forecasting higher rates at year-end, similar to the Street consensus



US Treasury Yield Curve

The yield curve has fallen significantly as the coronavirus outbreak has prompted the Federal Reserve to cut interest rates as investors put on a flight-to-quality trade



Rate Forecasts

5-Year Treasury	Current	3Q20	4Q20	1Q21	2Q21	3Q21	4Q21
Citi's Forecast	0.29%	0.37%	0.50%	0.50%	0.50%	0.50%	0.50%
Economists' Consensus	0.29%	0.36%	0.45%	0.51%	0.60%	0.64%	0.72%

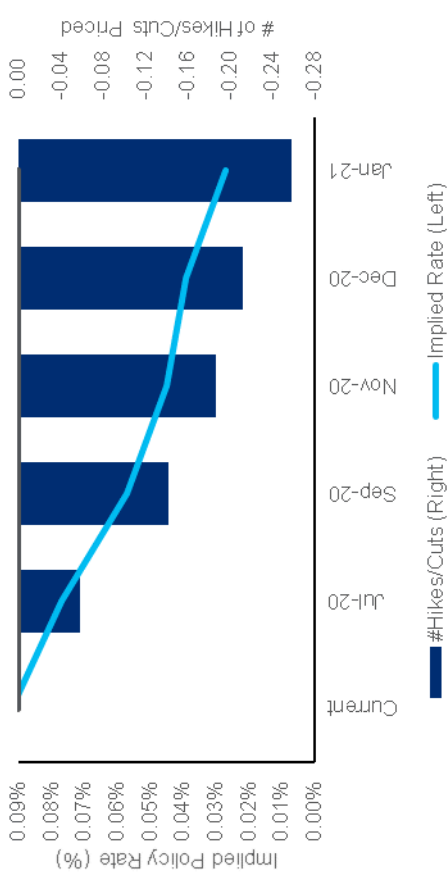
10-Year Treasury	Current	3Q20	4Q20	1Q21	2Q21	3Q21	4Q21
Citi's Forecast	0.59%	0.89%	1.25%	1.25%	1.25%	1.25%	1.25%
Economists' Consensus	0.59%	0.75%	0.85%	0.95%	1.00%	1.09%	1.20%

30-Year Treasury	Current	3Q20	4Q20	1Q21	2Q21	3Q21	4Q21
Citi's Forecast	1.23%	1.50%	1.75%	1.75%	1.75%	1.75%	1.75%
Economists' Consensus	1.23%	1.50%	1.56%	1.65%	1.70%	1.73%	1.83%

Fed Funds	Current	3Q20	4Q20	1Q21	2Q21	2Q21	4Q21
Citi's Forecast	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.50%
Economists' Consensus	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%

Expectations of Fed Change in Interest Rates (Market View)

The market is pricing in lower interest rates throughout the next year



TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2020

TO: Mayor and Town Council

VIA: Kirk Blouin, Town Manager

FROM: H. Paul Brazil, P.E., Director of Public Works

RE: Request from Property Owner of 70 Middle Road to Remove Sidewalk on Middle Road and Via Marina to Avoid a Chicane on Via Marina

DATE: June 22, 2020

STAFF RECOMMENDATION

Town staff recommends that Town Council deny the appeal from Ms. Jennifer Naegele the owner of the property at 70 Middle Road and support staff's decision to deny the request to remove the existing sidewalks.

GENERAL INFORMATION

On July 18, 2020, Public Works received the request from Ms. Naegele to remove "both sidewalks on Middle Road and Via Marina" adjacent to her property to accommodate the location of a three (3) phase transformer which is necessary to serve the house at this address. Attached is the email request for both the Public Works consideration and subsequently appealing the Public Works denial of the request to Town Council. Also attached are graphic depictions of where the easement and transformer would be located if the sidewalk was eliminated along with the proposed location of a chicane. The potential chicane is due to the denied request by Ms. Naegele to provide an easement on the property at 90 Middle Road to locate the previously mentioned three (3) phase transformer that solely serves that property.

Town staff denied the request to remove the sidewalk in this location. Attached is an image taken from Google Earth that shows the sidewalk that runs along the north and south side of Via Marina from South County Road and South Ocean Boulevard. Also seen in the image is the sidewalk running north south continuously along the west side of Middle Road from Gulfstream to Via Marina. Town staff does not recommend disrupting this continuous pedestrian access on either the north side of Via Marina or the west side of Middle Road. This would be an unprecedented decision to eliminate sidewalk from the existing right-of-way and cause a disruption in the existing pedestrian access.

The request was denied due to public safety concerns. Approval of this request would also set a precedent that may not be in the best interest of the Town. Sidewalks exist to provide a safe place for all pedestrians not just the adjacent homeowner.

FUNDING/FISCAL IMPACT

Removal of the sidewalk and restoration would become a project expense.

TOWN ATTORNEY REVIEW

This memorandum has been reviewed by the Town Attorney.

Attachments

cc: Patricia Strayer, P.E., Town Engineer
Steven Stern, Underground Utilities Manager

From: S.M
To: [Kirk Blouin](#); [Jay Boodheshwar](#); [Nina Toscano](#); [Antonette Fabrizi](#); [Aly Serrano](#); [Margaret Zeidman](#); [Julie Araskog](#); [Lew Crampton](#); [Bobbie Lindsay](#); [Gail Coniglio](#)
Cc: [Wayne Bergman](#); [John \(Skip\) C. Randolph](#); [Steven Stern](#); [Public Works](#); [Paul Brazil](#); [Patricia Strayer](#); [Eric Brown](#); [Human Resources](#); [Pat Gayle-Gordon](#)
Subject: RE:70 Middle Road:APPEAL to Town Manager and Town Council: Request to Approve Option B Plan; to accommodate Utilities Easement ;to Avoid a Chicane on via Marina
Date: Monday, July 20, 2020 11:23:17 AM
Attachments: [OPTION B-3.jpg](#)
[OPTION B-2.jpg](#)
[OPTION B-1.jpg](#)
[#FP.EASEMENT.4B OPTION B-EASEMENT ALTERNATIVE.pdf](#)

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

To: Town Manager's Office: Kirk Blouin, Jay Boodheshwar, Nina Toscano, Antonette Fabrizi, Aly Serrano
Town Council: Margaret Zeidman, Julie Araskog, Lew Crampton, Bobbie Lindsay, Gail Coniglio

From: Jennifer Naegele 7/20/20

RE:70 Middle Road:APPEAL to Town Manager and Town Council: Request to Approve Option B Plan; to accommodate Utilities Easement ;to Avoid a Chicane on via Marina

I am formally requesting that you consider removing both sidewalks on Middle Road and Via Marina- adjacent to my property at 70 Middle Road- to accommodate a Utilities Easement ; to avoid the installation of a Chicane on Via Marina (Please see attached drawing showing proposed Option B Plan and 3D Model comparison images of my property with and without sidewalks etc. and further relevant supporting documentation.).

I am appealing the Public Works denial of my request to remove both sidewalks on Middle Road and Via Marina ---adjacent to my property at 70 Middle Road- to accommodate a Utilities Easement ; to avoid the installation of a Chicane on Via Marina.

Please advise at your earliest convenience.

Thank you for your consideration.
Jennifer Naegele

Patricia Strayer

to Public, Eric, Steven, Jay, Paul, me



Ms. Naegele,

I have reviewed your request to eliminate the sidewalk adjacent to your property in order to eliminate the need for a chicane. Unfortunately, staff does not support or recommend removing the sidewalk, which is a Town asset, adjacent to your property. The sidewalk is presently a continuous sidewalk from South County to Ocean Boulevard on both the north and south sides of Via Marina. If you choose you may appeal our decision to the Town Manager's office and Town Council.

Patricia

Patricia Strayer, PE

Town Engineer

Town of Palm Beach

Public Works Department

951 Okeechobee Road

West Palm Beach, FL 33401

(O) 561.227.7056

(C) 561.339.7309

To: TPB PUBLIC WORKS DEPARTMENT

Paul Brazil

Patricia Strayer

Eric Brown

CC: Steve Stern

From : Jennifer Naegele 7/18/20

RE:70 Middle Road: Request to Public Works Department to Approve Option B Plan;
to accommodate Utilities Easement ;to Avoid a Chicane on via Marina

Dear Paul, Patricia, and Eric,

I am formally requesting that you consider removing both sidewalks on Middle Road and Via Marina- adjacent to my property at 70 Middle Road- to accommodate a Utilities Easement ; to avoid the installation of a Chicane on Via Marina (Please see attached drawing showing proposed Option B Plan and 3D Model comparison

images of my property with and without sidewalks etc.).

Please refer to a brief synopsis of events leading up to my request to remove both sidewalks bordering my property--to accommodate a Utilities Easement (in an attempt to avoid a Chicane on Via Marina).

1) Since February 7th, 2019, I have been victim of selected targeted harassment led by Danielle H. Moore and Gail Coniglio; to which I still suffer hardship today (See below "Synopsis" following close of email).

2) In May 2019, I informed Steve Stern (Town Council Members, Town Officials and all) via email-- that I refused to accept the Utilities Easement-- as proposed--in my front yard; since it would desecrate ,de-face and devalue my entire property.

3) I had requested--- several times—to Steve Stern (and the TPB) --that FPL/ Kimley-Horn either re-route and redesign the underground lines or connect me to an alternative transformer (for the sole purpose to avoid the Chicane). Steve Stern provided reasonable explanations as to why this was not possible.

4) Regardless, that does not entitle the TPB to desecrate my entire front yard---with 2 huge transformers—as initially proposed---which would have created a 12 foot x 13 foot unusable void -- in my front yard.

5) My property value would plummet --if I were to agree to the installation of 2 huge transformers- initially proposed by the TPB-- to absorb a 12 foot x 13 foot piece of my property--in my front yard-- for the Utilities Easement.

6) As a result, my property would become un-sellable.

7) According to Steve Stern: the Underground Utilities will commence--in my neighborhood in the 4th quarter 2020.

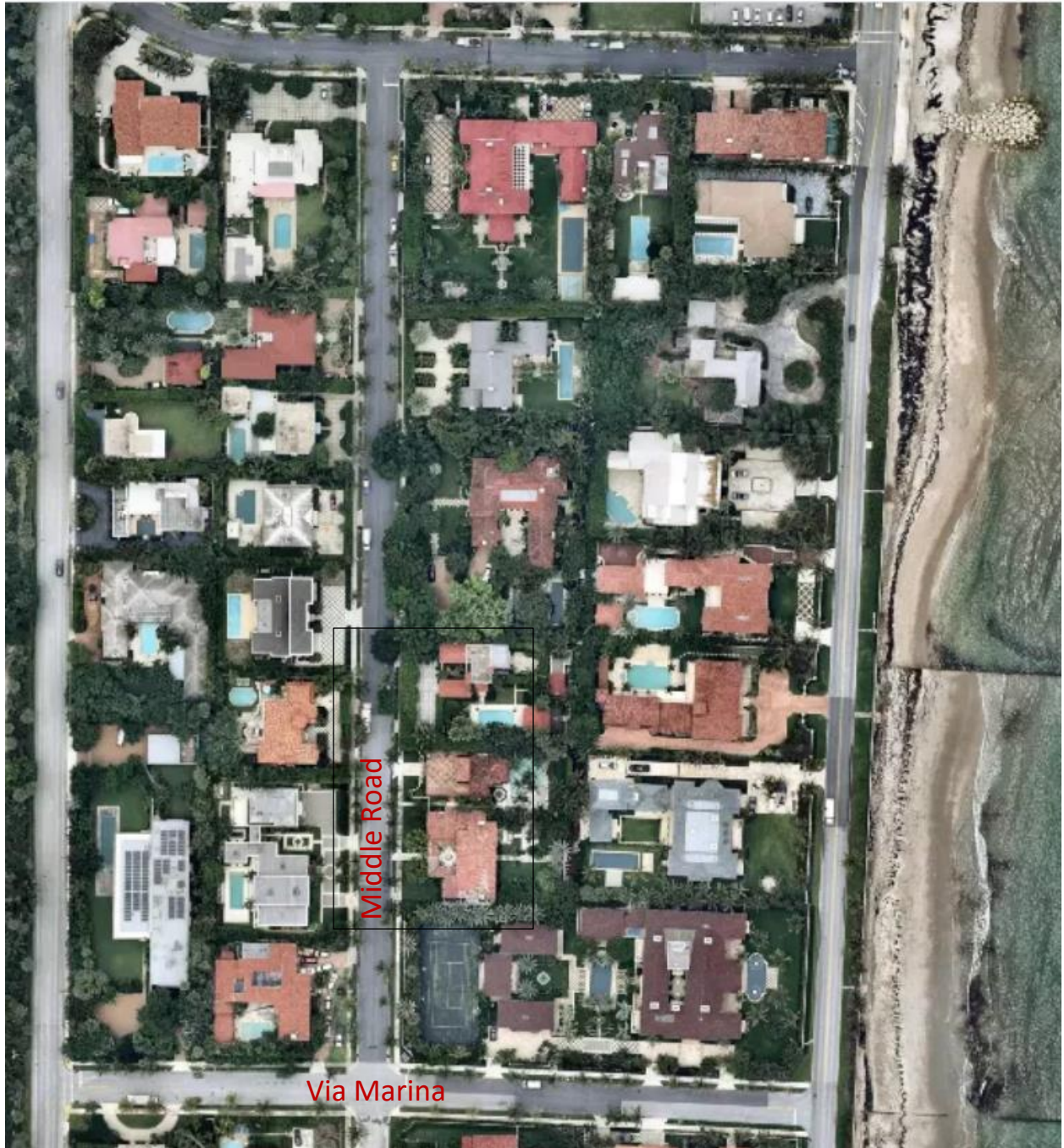
8) I am in ongoing and continuous discussions with Steve Stern in the hopes of avoiding the installation of a Chicane on Via Marina; by exploring alternative solutions.

9) I have provided more than enough arguments and reasons as to why I can not allow the TPB to install 2 transformers- as initially proposed- to desecrate my entire front yard.

10) The removal of 2 small portions of sidewalks --adjacent to my property--will cause no harm to the community; as the opposite side of the street has an abundance of sidewalks available.

11) I would also like to note that there are several houses on Middle Road to which the sidewalk has been previously removed. (See enclosed photos)

12) Some people believe that a Chicane installed on via Marina will decrease property values in the neighborhood. Personally, I believe that a Chicane would have a "traffic calming" effect on the "chronic speeders" who use via Marina to cut through South Ocean Boulevard to South County Road.









TOWN OF PALM BEACH

Town Council Meeting on: August 11, 2020

Section of Agenda

Regular Agenda - Old Business

Agenda Title

COVID-19 Update

Kirk W. Blouin, Town Manager

TIME CERTAIN: 11:00 AM

a. Report on COVID-19 Infections and Hospitalizations (*written backup provided in purple folder*)

b. Report on Compliance and Enforcement, Relative to State, County and Town Orders (*verbal report*)

c. RESOLUTION NO. 63-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida Concurring With The Request of The Town's Chief of Police, To Extend The Chief's Declaration of The Existence Of A State of Emergency Within The Corporate Limits of The Town To September 10, 2020, Unless Earlier Terminated By The Chief of Police, At Which Time The Town Council Will Address The Need For Any Extension of The Declaration of Emergency; Providing For An Effective Date.

Time Certain

11:00 AM

Presenter

ATTACHMENTS:

- ▣ **c. Resolution No. 63-2020**

RESOLUTION NO. 63-2020

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA CONCURRING WITH THE REQUEST OF THE TOWN'S CHIEF OF POLICE, TO EXTEND THE CHIEF'S DECLARATION OF THE EXISTENCE OF A STATE OF EMERGENCY WITHIN THE CORPORATE LIMITS OF THE TOWN TO SEPTEMBER 10, 2020, UNLESS EARLIER TERMINATED BY THE CHIEF OF POLICE, AT WHICH TIME THE TOWN COUNCIL WILL ADDRESS THE NEED FOR ANY EXTENSION OF THE DECLARATION OF EMERGENCY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 2019 Novel Coronavirus Disease (COVID-19) is a severe, acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, the World Health Organization (WHO) has declared a pandemic related to COVID-19; and

WHEREAS, the Center for Disease Control and Prevention (CDC) has declared the potential public health threat posed by COVID-19 as "high", both in the United States and throughout the world; and

WHEREAS, on March 1, 2020, Governor Ron DeSantis issued Executive Order 20-51, declaring that appropriate measures to control the spread of COVID-19 in the State of Florida are necessary, and therefore directed that a Public Health Emergency be declared in the State of Florida; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52, declaring a State of Emergency in the State of Florida regarding the COVID-19 pandemic; and

WHEREAS, the President of the United States has declared a State of Emergency for the Country to address the public health threat to the United States of America as a result of COVID-19; and

WHEREAS, a threat of impact from COVID-19 exists throughout the corporate limits of the Town of Palm Beach and elsewhere; and

WHEREAS, COVID-19 poses a danger to life and the economic well-being of Palm Beach residents; and

WHEREAS, the Chief of Police of the Town of Palm Beach, pursuant to the authority of Section 58-41 of the Town Code of Ordinances, has declared a state of emergency exists within the corporate boundaries of the Town; and

WHEREAS Florida Statute Section 870.042 provides that the designated official, in this case the Chief of Police, has the authority to exercise the emergency powers conferred in Sections 870.041 through 870.047 of the Florida Statutes; and

WHEREAS, Section 870.047, Florida Statutes, provides for the duration and termination of a State of Emergency and provides that the emergency declaration shall terminate at the end of the period of seventy-two (72) consecutive hours unless prior to the end of the seventy-two (72) hour period, the declaration of emergency has been terminated; and

WHEREAS, any extension of the seventy-two (72) hour time limit must be accomplished by request from the public official and the concurrence of the Town Council by duly enacted resolution in regular or special session; and

WHEREAS, the Town Council approved Resolution No. 21-2020 on March 19, 2020, granting the Chief of Police's request that the seventy-two (72) hour time limit be extended to May 12, 2020; and

WHEREAS, the Town Council approved Resolution No. 34-2020 on May 13, 2020, granting the Chief of Police's request to extend the State of Emergency declaration to June 9, 2020; and

WHEREAS, the Town Council approved Resolution No. 44-2020 on June 10, 2020, granting the Chief of Police's request to extend the State of Emergency declaration to July 14, 2020; and

WHEREAS, the Town Council approved Resolution No. 59-2020 on June 10, 2020, granting the Chief of Police's request to extend the State of Emergency declaration to August 12, 2020; and

WHEREAS, the Chief of Police has requested that the time limit be extended again to September 10, 2020, unless earlier terminated by the Chief of Police.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY FLORIDA, AS FOLLOWS:

Section 1. The request of the Chief of Police to further extend the time period for the declaration of emergency is hereby granted.

Section 2. The declaration of emergency shall remain in effect until September 10, 2020, unless earlier terminated by the Chief of Police, at which time the Town Council will address the need for any extension of the declaration of the emergency.

Section 3. During this period of time, the Chief of Police has the authority to extend or amend any of the emergency measures declared in the initial declaration of emergency as provided by the terms of Florida Statute Section 870.045.

Section 4. This resolution shall take effect upon execution. A copy of this Resolution shall be filed in the office of the Town Clerk and delivered to the appropriate news media and by posting on the Town's website.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 11th day of August, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: August 11, 2020

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Palm Beach Country Club Deed and Easement Modifications with the Town of Palm Beach

Presenter

H. Paul Brazil, P.E., Director of Public Works

ATTACHMENTS:

- ▢ **Memorandum dated July 27, 2020, from H. Paul Brazil, P.E., Director of Public Works**
- ▢ **Grant of Utility and Maintenance Access Easement**
- ▢ **Exhibit A - D-8 Pump Station**
- ▢ **Exhibit B - Pump Station Outfall**
- ▢ **Seawall Landscape**

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: H. Paul Brazil, P. E., Director of Public Works

RE: Palm Beach Country Club Deed and Easement Modifications with the Town of Palm Beach.

DATE: July 27, 2020

STAFF RECOMMENDATION

Town staff is seeking direction from Town Council on a request for Palm Beach Country Club Deed and Easement Modifications with the Town of Palm Beach.

GENERAL INFORMATION

In April 1941, the Town and Palm Beach Country Club entered into an agreement that includes right-of-way for road purposes through, on and across the Country Club property. The agreement refers to the recorded plat that defines and describes the right-of-way for road purposes along the eastern portion of the property also known as Ocean Boulevard. The Town's responsibility for maintenance of the North Ocean Blvd. seawall is also included in this agreement.

Along the western portion of the Country Club property, the Country Club dedicated easements for both the roadway and the Lake Trail. The Palm Beach Country Club has provided records from the 1941 Plat, which is attached, and the Deed Book which indicates an agreement for maintenance of the described areas.

Historically over the past 78 years, the Palm Beach Country Club and the Town have worked together on the maintenance for the described areas and protection of both shorelines.

The Country Club has also provided additional property not listed in the 1941 agreement for a major stormwater pump-station (D-8) and outfall that is essential to the right-of-way drainage that is owned and operated by the Town. This parcel of land should be clarified in the easement and maintenance responsibility discussion as well.

D-8 STORMWATER PUMPSTATION EASEMENT AND MAINTENANCE

Over the past several months, staff has met with the Country Club for easement and maintenance responsibility clarification, including easement documents for the D-8 Stormwater Pump Station and Outfall. The Country Club allowed both of these structures to be constructed on Country Club property at no cost to the Town. The Country Club and Town staff agree that it is time to formalize this easement across Country Club property.

Staff recommends that the Town Manager be authorized to execute an Easement Agreement that is reviewed and approved by the Town Attorney.

N. LAKE WAY EASEMENT MAINTENANCE

Recent meetings and discussions also included developing a maintenance agreement for the area between the Intracoastal Waterway and the bike trail. The 1941 Agreement outlines responsibilities, but our practice (both the Town and the Country Club) have been different. The Country Club has been a very good partner through all of these efforts and is in the process of developing revisions to the original agreement. These revisions will clarify the responsibilities by both parties that have been worked out jointly over the past 78 years as described.

In the April 1941 agreement, Area “A” is designated as the Lake Trail along the western portion of the property and agreed to be limited to the use of wheel chairs, bicycles and pedestrians. Area “B” is designated as the two (2) foot wide strip of land east of the Lake Trail and west of N. Lake Way as a divider. The Agreement includes a requirement for the Town to provide shore protection (construction of a bulkhead) for a certain section of this area. The Town has placed a revetment to stabilize the area and the Country Club has accepted this a temporary solution but does not waive the requirement of the Town building a bulkhead if necessary due to erosion.

The Town and the Country Club have been working jointly on maintenance responsibilities along North Lake Way. The Country Club has been cutting the grass and trees west of the bike path. In turn, the Town has been maintaining the Lake Trail, the two (2) foot wide strip of grass and the white concrete traffic barrier posts. This has been working well for both parties, therefore, the Country Club is proposing to continue this arrangement and update the easement documents to state as such. Town staff agrees with this approach and recommends that the Town Council direct staff to work with the Country Club to finalize this agreement and return to a future Town Council meeting for final approval.

OWNERSHIP OF 11 PARKING SPACES ALONG N. OCEAN BLVD

In April 1941, the Town and Palm Beach Country Club entered into an Agreement that includes a right-of-way for road purposes across the Country Club property. This right-of-way agreement includes N. Ocean Blvd. Along the southern limits of the Country Club property along N. Ocean Blvd, the agreement and right-of-way includes eleven (11) parking spaces designated for public use. The Country Club would like to modify the current easement agreement to dedicate the eleven (11) spaces for Country Club use only.

Staff believes that this has been the historic use of these spaces but can find no documentation that dedicates the use of these spaces to the Country Club. The Country Club has several parking spaces north of this location on the west side of North Ocean Blvd. These spaces are on Country Club property. The Country Club has always allowed the Town to use these spaces for public projects as well as for debris management during storm recovery. If the Country Club would allow Town use of these new spaces if necessary, staff would recommend that the Town Council dedicate the eleven (11) new spaces for use by the Country Club.

PUBLIC/PRIVATE BEAUTIFICATION PROJECT ALONG N. OCEAN BLVD

In April 1941, the Town and Palm Beach Country Club entered into an Agreement that includes a right-of-way for road purposes across the Country Club property. This right-of-way is North Ocean Boulevard. The agreement also addresses the Town’s responsibility for the recently replaced seawall. The language does not directly address the strip of land between the road and the seawall. The Country Club believes that the language of the Agreement implies that the Town has some responsibility for this strip of land. The Town Attorney has reviewed this language and does not believe that the Town owns this strip of land and does not believe that the Town has a maintenance responsibility.

The original wooden bulkhead was close to the existing edge of pavement. That wall was replaced with a steel sheet pile wall that was constructed water ward of the original timber bulkhead. We recently replaced that steel wall with a new steel sheet pile wall that was constructed water ward of the old wall. The grass strip between the edge of pavement and the newest wall may not have existed when the timber bulkhead was in place. This strip of land has gotten larger with each replacement wall. Staff believes that the old agreement does not address this area because this area did not originally exist.

This lack of clarity about the ownership or responsibility for maintenance does not preclude the Town from pursuing a joint public/private beautification project along North Ocean Boulevard.

The Palm Beach Country Club met with Town staff and discussed a possible beautification project for the strip of land between North Ocean Boulevard and the seawall. A public/private partnership would allow the Town the opportunity to help decide what this vista would become. The Town Council previously gave conceptual approval to a public/private beautification project. Staff has worked with the Country Club to develop alternatives and preliminary budgets. The goal is to install native plantings that do not require irrigation and only minimal maintenance. A conceptual plan is attached. Staff recommends that the Town Council approves moving forward with this project.

FUNDING/FISCAL IMPACT

Town Council previously conceptually approved the Town's participation up to \$100,000 for a joint public/private beautification project.

TOWN ATTORNEY REVIEW

The Town Attorney has reviewed this item and will be available for comment during the Town Council meeting.

Attachments

cc: Jay Boodheshwar, Deputy Town Manager
Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E., Senior Project Engineer
Maura Ziska, Esq., Kochman & Ziska PLC
Robert A. Schlager, CPM, Palm Beach Country Club
Tom Youchak, P.E., Palm Beach Country Club

**Record & Return To:
Maura A. Ziska, Esquire
Kochman & Ziska PLC
222 Lakeview Avenue Suite 1500
West Palm Beach, FL 33401**

GRANT OF UTILITY AND MAINTENANCE ACCESS EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, **PALM BEACH COUNTRY CLUB, INC., a Florida corporation**, whose mailing address is 760 North Ocean Boulevard, Palm Beach, Florida 33480, hereinafter referred to as "**Grantor**", owners of the property described below, for and in consideration of the sum of TEN DOLLARS AND NO/100 (\$10.00) and other good and valuable consideration, receipt whereof is hereby acknowledged, **DO HEREBY GRANT** unto the **TOWN OF PALM BEACH**, a municipal corporation existing under the laws of the State of Florida, whose address is 360 South County Road, Palm Beach, Florida 33480, hereinafter referred to as the "**Town**", a non-exclusive Utility and Maintenance Access Easement for the purposes of allowing the installation, maintenance, inspection and monitoring of pumps, 750 KW emergency generator, 2,000 gallon fuel tank, inlet piping, mechanical, electrical, landscaping, painting, and support structures and facilities that is defined by the Record Drawings, see Exhibit C, that is essential to the D-8 Storm Water Pump Station Improvements including the D-8 Outfall Area and associated piping and allowing the Town, their agents and employees access to the easement area for matters related to the installation, maintenance and necessary repair of such Pump Station and Outfall Areas including accessory equipment and piping within the following described land lying and being situated in Palm Beach County, Florida, to wit:

See Exhibit "A" attached hereto for complete legal description and sketch of the easement area for the D-8 Pump Station Area, Exhibit "B" attached hereto for the complete legal description and sketch of the easement area for the D-8 Outfall Area, and Exhibit "C" attached hereto for the complete description of the D-8 work improvements defined by the Town's Record As-built Drawings dated March 29, 2006 drawings C-1 thru C-32.

IT IS EXPRESSLY COVENANTED AND AGREED, that this easement grants the Town, as well as its agents and employees, the authority to access and enter upon the easement area to operate, maintain, service, construct, reconstruct, remove, relocate, repair, replace, improve, expand, tie into, and inspect the water main in, under and across the easement premises. However, prior to any such non-

emergency activity occurring on the property, the Town shall provide the Grantor with advance reasonable notice.

FURTHERMORE, that this Grant of Utility and Maintenance Access Easement does in no way convey the fee simple title to this property nor shall it be intended to be construed as dedication of the area for public use, but is only a Grant of Utility and Maintenance Access Easement for the uses and purposes stated herein. In the event that this parcel of property is no longer necessary for use by the Town as a utility and maintenance access easement as stated above, all rights, titles, and interests herein granted shall be released to the Grantor, their successors and/or assigns in title, by Quit Claim Deed. The Town shall be responsible for restoring the property to its pre-installation state upon completion of the D-8 Storm Water Pump Station and Outfall Areas. Thereafter, the Grantor shall be responsible for the general maintenance of the above-ground area owned by the Grantor, including landscaping, including hedges, ground cover, painting and landscape irrigation which may be installed in and/or adjacent to the easement area which is subject to this grant of easement including security of their facilities and environmental contamination of said structures. Should the property be damaged, in any way, or at any time, whatsoever, due to the use of this easement by the Town, including its agents and/or employees, for the purposes set forth herein, the Town shall, at its own cost and expense, restore the property to its pre-damage condition including environmental cleanup by the EPA or associated governmental authority when required.

Grantor shall be allowed to construct a fence and/or hedge and landscaping in the easement area depicted in Exhibit "A" and the Grantee/Town shall permit such improvements within the easement area without the need for any special approvals.

IN WITNESS WHEREOF, the Grantors have hereunto caused this Grant of Easement to be signed on this _____ day of _____, 2020.

Signed, Sealed, and Delivered
in the presence of:

Owner/Grantor:

Palm Beach County Club, Inc.

Witness

By: _____
Its: _____

Witness

STATE OF FLORIDA)
) ss:
COUNTY OF PALM BEACH)

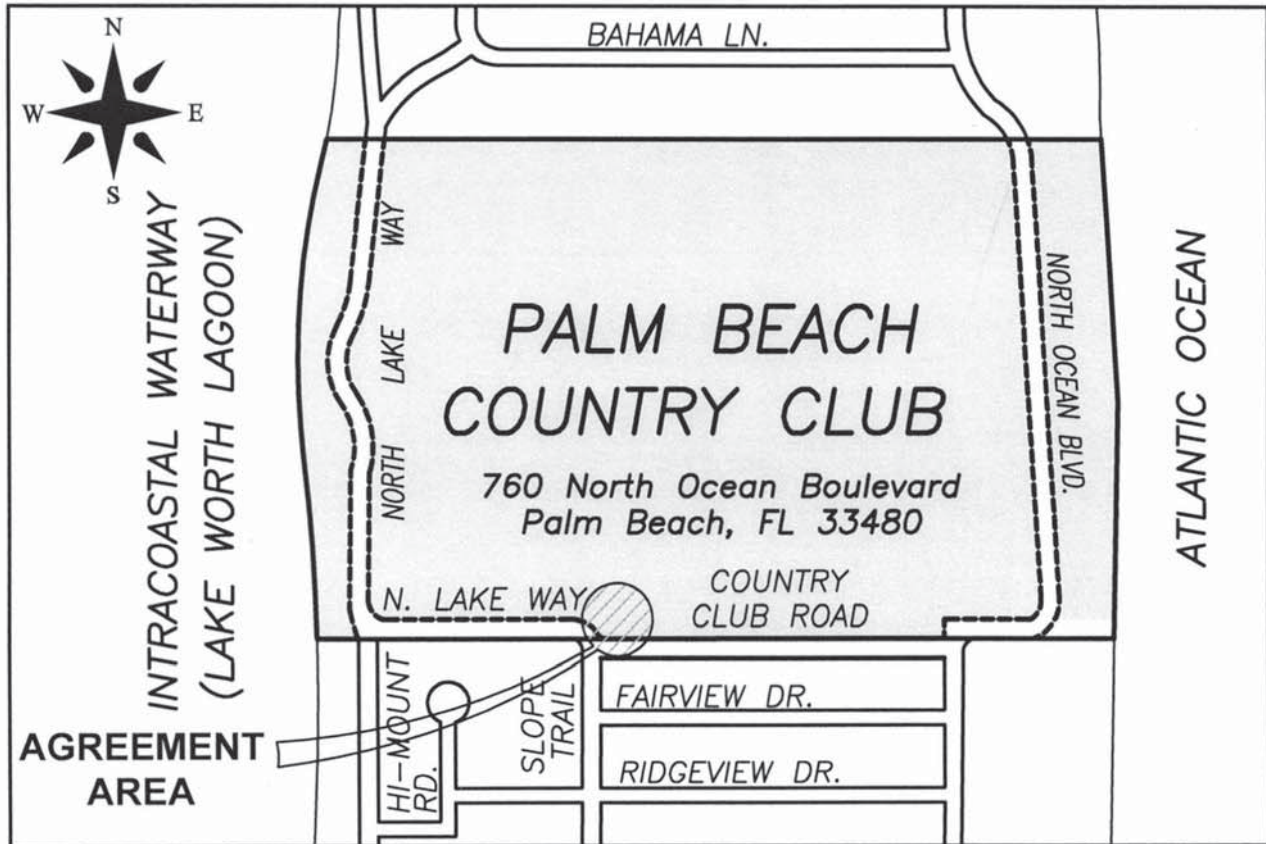
The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2020 by Robert A. Schlager, as President of the Palm Beach Country Club, Inc., a Florida corporation, on behalf of the corporation, who ☐ is personally known to me or ☐ has produced _____ as identification.

(Seal)

Notary Public
State of Florida

EXHIBIT "A"
**D-8 STORM WATER PUMP STATION
EASEMENT AGREEMENT AREA**

This As-Built Survey was prepared specifically and only for the purpose of graphically depicting existing features within specified areas as described herein for the creation of a maintenance/use agreement between the Palm Beach Country Club and the Town of Palm Beach.



NOTE:
THIS AS-BUILT SURVEY CONSISTS OF 5 SHEETS AND IS NOT VALID WITHOUT ALL 5 SHEETS FORMING A COMPLETE SET.

(NOT TO SCALE)

SHEET INDEX:

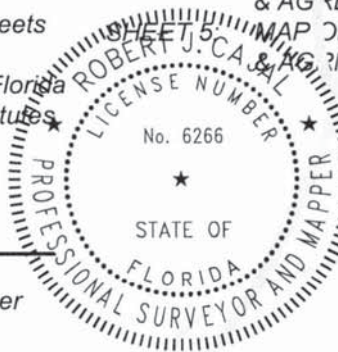
- SHEET 1: VICINITY MAP, CERTIFICATION
- SHEET 2: LEGAL DESCRIPTION, NOTES
- SHEET 3: LEGEND
- SHEET 4: MAP OF AS-BUILT IMPROVEMENTS & AGREEMENT AREA
- SHEET 5: MAP OF AS-BUILT IMPROVEMENTS & AGREEMENT AREA

CERTIFICATION:

I HEREBY ATTEST that the As-Built Survey shown hereon meets the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers adopted in Rule 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

DATE OF LAST FIELD SURVEY: 3/12/2020

Robert J. Cajal
Professional Surveyor and Mapper
Florida Certificate No. 6266



Digitally signed
by Robert J
Cajal
Date:
2020.03.17
14:53:21 -04'00'

REVISION: 3/17/20 ADD SHEET NO. 5

RECORD DRAWING



WALLACE

SURVEYING
CORP. LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

DATE: 03/12/20	DWG. No.: 97-1013-43
OFFICE: R.C.	SHEET: 1 OF 5
C'K'D.: R.C.	JOB NO.: 97-1013.110

--

A parcel of land being a portion of the Palm Beach Country Club property as recorded in Official Records Book 2365, Page 2, Public Records of Palm Beach County, Florida, lying in the Northwest quarter of Section 10, Township 43 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows;

BEGIN at the Northeast corner of Lot 121, MARK RAFALSKY TRACT, according to the plat thereof, as recorded in Plat Book 11, Page 51, Public Records of Palm Beach County, Florida; thence North 01°16'14" East, along the Northerly prolongation of the East line of said Lot 121 (the East line of said Lot 121 is assumed to bear North 01°16'14" East and all other bearings are relative thereto) a distance of 24.00 feet; thence North 46°03'45" East a distance of 22.50 feet; thence South 88°21'25" East a distance of 18.65 feet; thence North 46°09'07" East a distance of 13.76 feet; thence South 88°50'53" East a distance of 55.37 feet; thence South 59°20'55" East a distance of 58.71 feet; thence South 01°16'14" West a distance of 20.59 feet to a point on the East-West quarter section line of said Section 10, said point also being on the South line of said Palm Beach Country Club property and the North right-of-way line of Country Club Road as shown on said plat of MARK RAFALSKY TRACT; thence North 88°50'53" West, along said right-of-way line, a distance of 150.74 feet to the **POINT OF BEGINNING**.

LESS AND EXCEPT the 10 foot by 20 foot parcel lying therein previously conveyed to the Town of Palm Beach as recorded in Official Records Book 7612, Page 1878, said Public Records of Palm Beach County, Florida.

Containing in all 6,017.5 square feet, more or less.

B.F.P.	=	BACKFLOW PREVENTOR	P.C.N.	=	PARCEL CONTROL NUMBER
B/L	=	BASELINE	O.A.	=	OVERALL
CL	=	CENTERLINE	O.R.B.	=	OFFICIAL RECORDS BOOK
C.B.S.	=	CONCRETE BLOCK STRUCTURE	P.B.	=	PLAT BOOK
CONC.	=	CONCRETE	P.B.C.	=	PALM BEACH COUNTY
D.B.	=	DEED BOOK	P.C.	=	POINT OF CURVATURE
EL.	=	ELEVATION	PG.	=	PAGE
E.O.P.	=	EDGE OF PAVEMENT	P/L	=	PROPERTY LINE
F.F. EL.	=	FINISHED FLOOR ELEVATION	P.O.B.	=	POINT OF BEGINNING
F.K.A.	=	FORMERLY KNOWN AS	R/W	=	RIGHT-OF-WAY
FOC	=	FACE OF CURB	S.F.	=	SQUARE FEET
M.H.W.L.	=	MEAN HIGH WATER LINE	TOC	=	TOP OF CONCRETE
NAVD	=	NORTH AMERICAN VERTICAL DATUM	TOW	=	TOP OF WALL

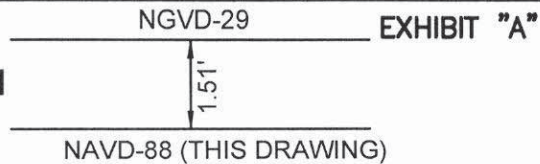
 = ELECTRIC SERVICE
 = WATER SERVICE
 = SANITARY FORCE MAIN

NOTE:
THIS AS-BUILT SURVEY CONSISTS OF 5
SHEETS AND IS NOT VALID WITHOUT ALL
5 SHEETS FORMING A COMPLETE SET.

WALLACE SURVEYING
 CORP. LICENSED BUSINESS # 4569
 5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

DATE: 03/12/20	DWG. No.: 97-1013-43
OFFICE: R.C.	SHEET: 2 OF 5
C'K'D.: R.C.	JOB NO.: 97-1013.110

DATUM CONVERSION

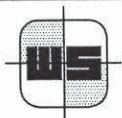


NOTES:

1. No title policy or commitment affecting title or boundary to the subject property has been provided. It is possible there are deeds and easements, recorded or unrecorded, which could affect this as-built survey and boundaries. This office has made no search of the Public Records.
2. Spot elevations shown hereon are in U.S. Survey Feet and decimal parts thereof and are based on NAVD-88. Parent benchmarks are U.S. Coast and Geodetic Survey brass disk stamped "E 310 1970" (elevation 6.92 NAVD) and NGS stainless steel rod below a magnetic cap stamped "872 2607 B TIDAL" (elevation 3.59 NAVD), both at published locations by Palm Beach County.
3. Unless presented in digital form with electronic seal and electronic signature this as-built survey must bear the signature and the original raised seal of a Florida licensed surveyor or mapper, otherwise this drawing, sketch, plat or map is for informational purposes only and is not valid.
4. This as-built survey cannot be transferred or assigned without the specific written permission of Wallace Surveying Corporation. Certificate of Authorization Number LB4569.
5. Except as shown, underground and overhead improvements are not located. Underground foundations not located.
6. The as-built survey shown hereon was prepared only for use as basis for record agreements/easements and not for design purposes.
7. Revisions shown hereon do not represent a "survey update" unless otherwise noted.
8. All dates shown within the revisions block hereon are for interoffice filing use only and in no way affect the date of the field survey stated herein.
9. In some instances, graphic representations have been exaggerated to more clearly illustrate the relationships between physical improvements and/or lot lines. In all cases, dimensions shown shall control the location of the improvements over scaled positions.
10. It is a violation of Rule 5J-17 of the Florida Administrative Code to alter this as-built survey without the express prior written consent of the Surveyor. Additions and/or deletions made to the face of this survey will make this survey invalid.
11. The expected horizontal accuracy of the improvements shown hereon is +/- 0.10'. Distances shown hereon are in U.S. Survey Feet as measured on horizontal plane.
12. See Wallace Surveying Corporation Topographic Survey, drawing no. 97-1013-30 for additional boundary and topographic information.
13. The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.
14. Certain features are represented by the symbols reflected in this map. The legend of features may have been enlarged for clarity and may not represent the actual shape or size of the feature. The symbols have been plotted at the approximate center of the feature based upon the field location.
15. This is not a Boundary Survey.

NOTE:

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WALLACE

SURVEYING
CORP. LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

DATE: 03/12/20

DWG. No.: 97-1013-43

OFFICE: R.C.

SHEET: 3 OF 5

C'K'D.: R.C.

JOB NO.: 97-1013.110

EXHIBIT "A"

NOTE:
THIS AS-BUILT SURVEY CONSISTS OF 5
SHEETS AND IS NOT VALID WITHOUT ALL
5 SHEETS FORMING A COMPLETE SET.

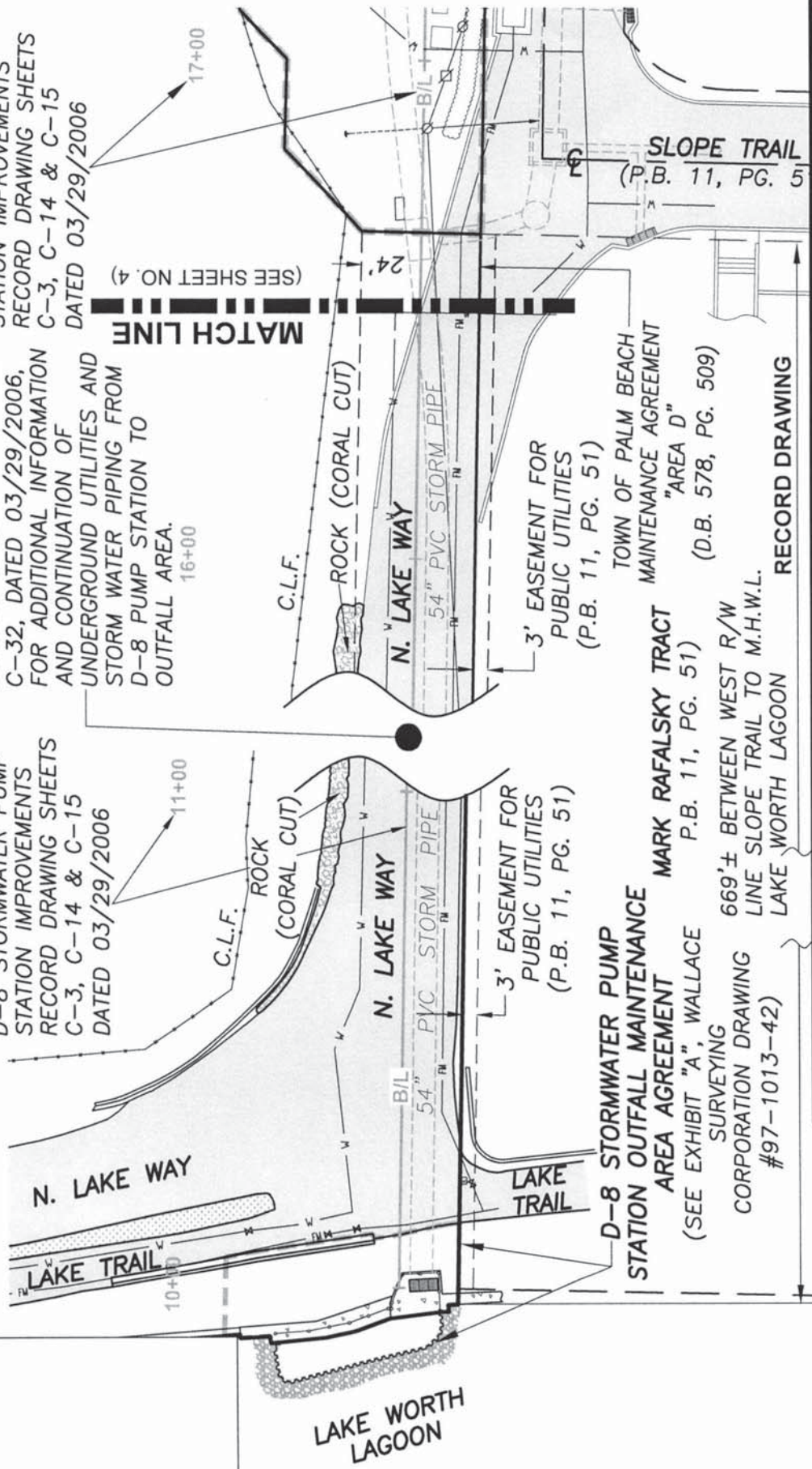
PALM BEACH COUNTRY CLUB

BASELINE & BASELINE
STATIONS AS DEPICTED ON
D-8 STORMWATER PUMP
STATION IMPROVEMENTS
RECORD DRAWING SHEETS
C-3, C-14 & C-15
DATED 03/29/2006

PALM BEACH COUNTRY CLUB

SEE EXHIBIT "C", D-8
STORMWATER PUMP STATION
IMPROVEMENT RECORD
DRAWING SHEETS C-1 THRU
C-32, DATED 03/29/2006,
FOR ADDITIONAL INFORMATION
AND CONTINUATION OF
UNDERGROUND UTILITIES AND
STORM WATER PIPING FROM
D-8 PUMP STATION TO
OUTFALL AREA.

MATCH LINE
(SEE SHEET NO. 4)



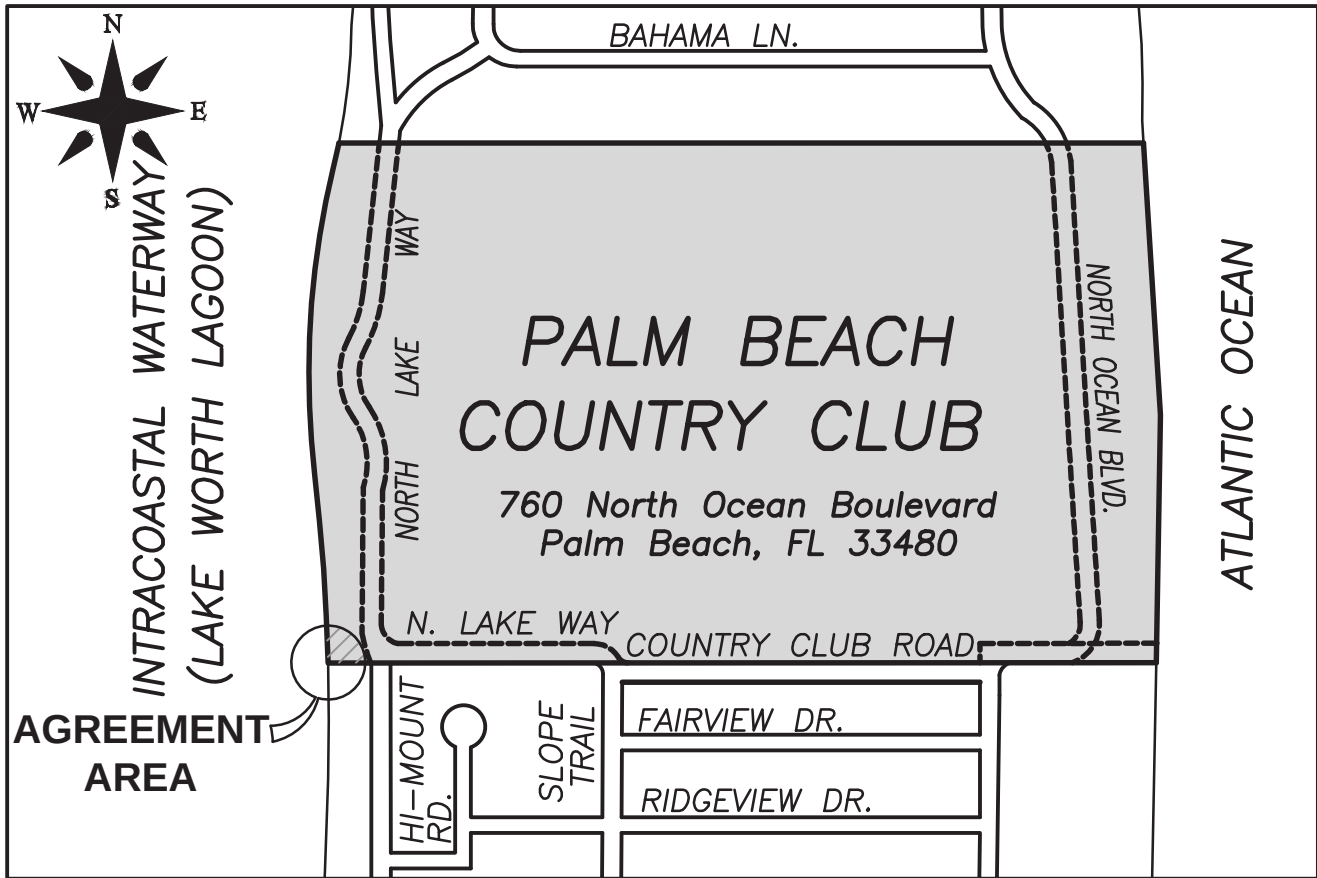
DATE: 03/12/20	DWG. No.: 97-1013-43
OFFICE: R.C.	SHEET: 5 OF 5
C'K'D.: R.C.	JOB NO.: 97-1013.113

WALLACE SURVEYING
CORP., LICENSED BUSINESS # 4569
5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

EXHIBIT "B"
D-8 STORM WATER PUMP STATION
OUTFALL EASEMENT AGREEMENT AREA
SHEET INDEX:

SHEET 1: VICINITY MAP, CERTIFICATION
SHEET 2: LEGAL DESCRIPTION, LEGEND
SHEET 3: NOTES
SHEET 4: MAP OF AS-BUILT IMPROVEMENTS & AGREEMENT AREA
SHEET 5: MAP OF AS-BUILT IMPROVEMENTS & AGREEMENT AREA

This As-Built Survey was prepared specifically and only for the purpose of graphically depicting existing features within specified areas as described herein for the creation of a maintenance/use agreement between the Palm Beach Country Club and the Town of Palm Beach.



(NOT TO SCALE)

CERTIFICATION:

I HEREBY ATTEST that the As-Built Survey shown hereon meets the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers adopted in Rule 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

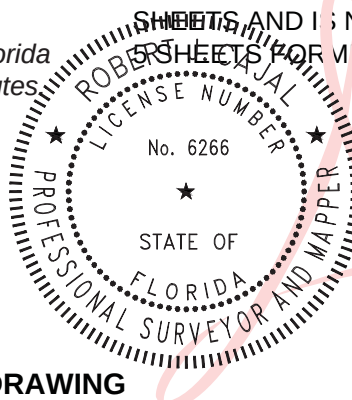
DATE OF LAST FIELD SURVEY: 3/12/2020



Robert J. Cajal
Professional Surveyor and Mapper
Florida Certificate No. 6266

NOTE:

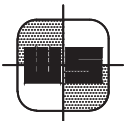
THIS AS-BUILT SURVEY CONSISTS OF 5 SHEETS AND IS NOT VALID WITHOUT ALL 5 SHEETS FORMING A COMPLETE SET.



Digitally signed by
Robert J Cajal
Date:
2020.03.17
14:51:23 -04'00'

REVISION: 3/17/20 ADD SHEET NO. 5

RECORD DRAWING



WALLACE SURVEYING
CORP. LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

TCM Backup 08-11-20

DATE: 03/12/20

DWG. No.: 97-1013-42

OFFICE: R.C.

SHEET: 1 OF 5

C'K'D.: R.C.

JOB NO.: 97-1013.110

DESCRIPTION OF AFFECTED AREA:

A parcel of upland and submerged lands, lying within the Northwest quarter of Section 10, Township 43 South, Range 43 East, Palm Beach County, Florida, bounded as follows;

On the North by a line 47 feet North of the South line of the Palm Beach Country Club property as described and recorded in Official Records Book 2365, Page 2, Public Records of Palm Beach County, Florida;

On the East, by the Westerly limits of the existing Lake Trail (width varies) also described as "Area A" as recorded in Deed Book 578, Page 509, said Public Records;

On the South, by the South line of the Palm Beach Country Club property recorded in Official Records Book 2365, Page 2, said Public Records;

On the West, by the Easterly mean high water line of the Lake Worth Lagoon (Elevation 0.2 NAVD) as shown hereon.

TOGETHER WITH that area of the Lake Worth Lagoon lying westerly of and adjacent to said Palm Beach Country Club property bounded by existing metal sheet piling as shown hereon and on D-8 Stormwater Pump Station Improvements Record Drawings sheets C-14 & C-14A on file with the Town of Palm Beach, Florida.

LEGEND

B.F.P. = BACKFLOW PREVENTOR	P.C.N. = PARCEL CONTROL NUMBER
B/L = BASELINE	O.A. = OVERALL
CL = CENTERLINE	O.R.B. = OFFICIAL RECORDS BOOK
C.B.S. = CONCRETE BLOCK STRUCTURE	P.B. = PLAT BOOK
CONC. = CONCRETE	P.B.C. = PALM BEACH COUNTY
D.B. = DEED BOOK	P.C. = POINT OF CURVATURE
EL. = ELEVATION	PG. = PAGE
E.O.P. = EDGE OF PAVEMENT	P/L = PROPERTY LINE
F.F. EL. = FINISHED FLOOR ELEVATION	P.O.B. = POINT OF BEGINNING
F.K.A. = FORMERLY KNOWN AS	R/W = RIGHT-OF-WAY
FOC = FACE OF CURB	S.F. = SQUARE FEET
M.H.W.L. = MEAN HIGH WATER LINE	TOC = TOP OF CONCRETE
NAVD = NORTH AMERICAN VERTICAL DATUM	TOW = TOP OF WALL

BURIED UTILITIES LEGEND

— — — — —	= ELECTRIC SERVICE
— W — W —	= WATER SERVICE
— FM — FM —	= SANITARY FORCE MAIN

NOTE:

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RECORD DRAWING

WALLACE

SURVEYING
CORP., LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

TCM Backup 08-11-20

DATE: 03/12/20

DWG. No.: 97-1013-42

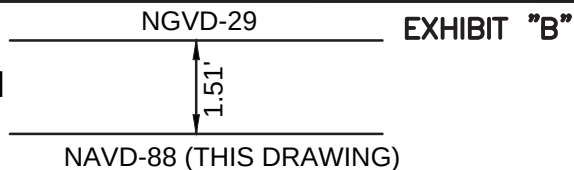
OFFICE: R.C.

SHEET: 2 OF 5

C'K'D.: R.C.

JOB NO.: 97-1013.110

DATUM CONVERSION



NOTES:

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WALLACE

SURVEYING
CORP. LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

TCM Backup 08-11-20

DATE: 03/12/20

DWG. No.: 97-1013-42

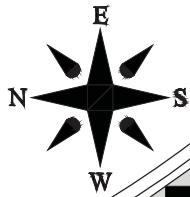
OFFICE: R.C.

SHEET: 3 OF 5

C'K'D.: R.C.

JOB NO.: 97-1013.110

EXHIBIT "B"



(SEE SHEET NO. 5)

MATCH LINE

BASELINE & BASELINE STATIONS
AS DEPICTED ON D-8 STORMWATER PUMP
STATION IMPROVEMENTS RECORD DRAWING
SHEETS C-3, C-14 & C-15
DATED 03/29/2006

N. LAKE WAY

ASPHALT

SOUTH LINE GOVERNMENT LOT 2
(NORTH LINE GOVERNMENT LOT 3,
QUARTER-SECTION LINE AND
PROPERTY LINE AS SHOWN ON
MARK RAFALSKY TRACT,
P.B. 11, PG. 51)

B/L

(TO D-8
PUMP STATION)

(SOUTHERLY LIMITS OF
PALM BEACH COUNTRY CLUB)

LOT 123
MARK RAFALSKY
TRACT,
P.B. 11, PG. 51)

ELECTRIC
BOX
SANITARY
VALVE

LAKE TRAIL
(ASPHALT)

CONC.
BOLLARD

GRASS

WATER
VALVE

EASTERLY LIMITS
OF SURVEY

SANITARY
VALVES

LAKE TRAIL
(ASPHALT)

TYPE "F" CURB

ELEVATION
4.00

LAKE TRAIL (AREA "A",
D.B. 578, PG. 509) SHELLROCK

ALUMINUM
HAND RAIL

NORTHERLY LIMITS
OF SURVEY

ELEVATION
2.24

ELEVATION
3.97

ELEVATION
3.87

ELEVATION
4.03

CONCRETE
BULKHEAD

APPROXIMATE MEAN
HIGH WATER LINE,
EL. 0.2 NAVD
(WESTERLY LIMITS OF
PALM BEACH
COUNTRY CLUB)

SHEET PILE

SCATTERED
ROCKS

LAKE WORTH LAGOON

ALUMINUM
GRATING
(EL. 3.44)

2.4' CONCRETE
BULKHEAD
ELEVATION 3.93

54" OUTFALL
INV. EL.
(-)1.58

**EASEMENT
AGREEMENT
LIMITS**

(SEE D-8 STORMWATER
PUMP STATION IMPROVEMENTS
RECORD DRAWINGS SHEETS
C-14 & C-14A FOR
ADDITIONAL INFORMATION)

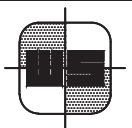
0' 5' 10' 20'



SCALE: 1"=10'

NOTE:
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SHEETS AND IS NOT VALID WITHOUT ALL
5 SHEETS FORMING A COMPLETE SET.

RECORD DRAWING



WALLACE SURVEYING
CORP. LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

TCM Backup 08-11-20

DATE: 03/12/20	DWG. No.: 97-1013-42
OFFICE: R.C.	SHEET: 4 OF 5
C'K'D.: R.C.	JOB NO.: 97-1013.110

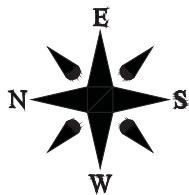


EXHIBIT "B"

D-8 STORMWATER PUMP STATION EASEMENT AGREEMENT AREA (SEE EXHIBIT "A", WALLACE SURVEYING CORPORATION DRAWING #97-1013-43)

PALM BEACH
COUNTRY CLUB

BASELINE & BASELINE
STATIONS AS DEPICTED ON
D-8 STORMWATER PUMP
STATION IMPROVEMENTS
RECORD DRAWING SHEETS
C-3, C-14 & C-15
DATED 03/29/2006

16+00
TOWN OF PALM BEACH
MAINTENANCE AGREEMENT
"AREA D"
C.L.F. (D.B. 578, PG. 509)

ROCK (CORAL CUT)

N. LAKE WAY

54" PVC STORM PIPE

3' EASEMENT FOR
PUBLIC UTILITIES
(P.B. 11, PG. 51)

MARK RAFALSKY TRACT
P.B. 11, PG. 51)

SLOPE TRAIL
(P.B. 11, PG. 51)

SEE EXHIBIT "C", D-8 STORMWATER PUMP
STATION IMPROVEMENT RECORD DRAWING
SHEETS C-1 THRU C-32, DATED
03/29/2006, FOR ADDITIONAL INFORMATION
AND CONTINUATION OF UNDERGROUND
UTILITIES AND STORM WATER PIPING FROM
D-8 PUMP STATION TO OUTFALL AREA.

NOTE:

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0' 15' 30' 60'



SCALE: 1"=30'

PALM BEACH
COUNTRY CLUB

BASELINE & BASELINE
STATIONS AS DEPICTED
ON D-8 STORMWATER
PUMP STATION
IMPROVEMENTS RECORD
DRAWING SHEETS C-3,
C-14 & C-15
DATED 03/29/2006

11+00

C.L.F.

ROCK
(CORAL CUT)

N. LAKE WAY

54" PVC STORM PIPE

3' EASEMENT FOR
PUBLIC UTILITIES
(P.B. 11, PG. 51)

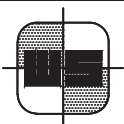
MARK RAFALSKY
TRACT
P.B. 11, PG. 51)

MATCH LINE

(SEE SHEET NO. 4)

669'± BETWEEN WEST R/W
LINE SLOPE TRAIL TO M.H.W.L.
LAKE WORTH LAGOON

RECORD DRAWING



WALLACE SURVEYING
CORP. LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

TCM Backup 08-11-20

DATE: 03/12/20

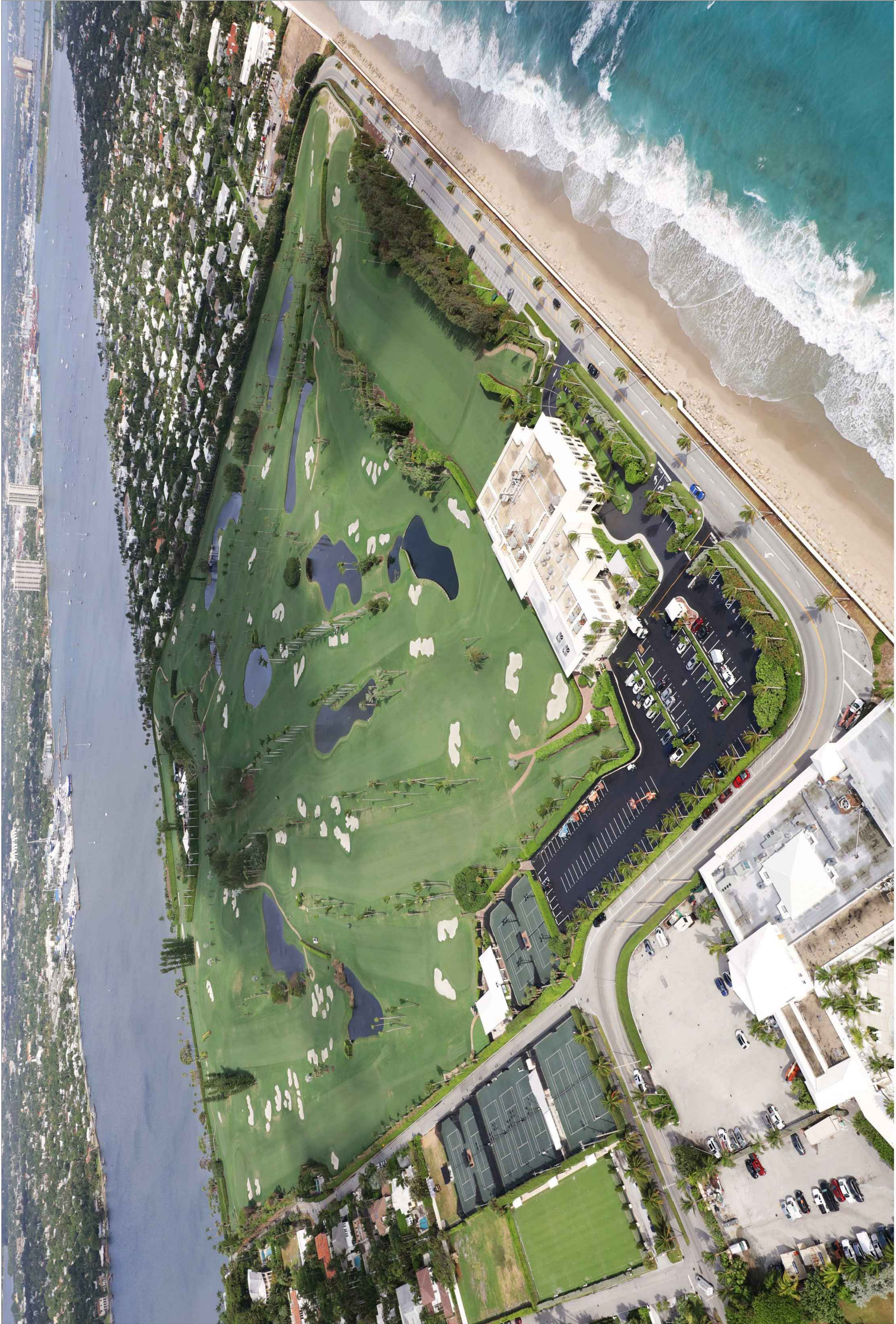
DWG. No.: 97-1013-42

OFFICE: R.C.

SHEET: 5 OF 5

C'K'D.: R.C.

JOB NO.: 97-1013.110



P.B.C.C. SEA WALL LANDSCAPE RESTORATION PROJECT

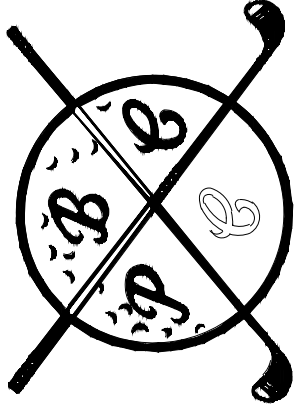
YOUCHAK
& YOUCHAK

340 ROYAL POINCIANA WAY
SUITE 328 - 710
PALM BEACH, FLORIDA 33480

PH: 561-832-3800

CERTIFICATE OF
AUTHORIZATION NO. 6205

PROJECT :



*Palm Beach
Country Club*

PALM BEACH
COUNTRY CLUB
SEAWALL LANDSCAPE
RESTORATION

PALM BEACH, FLORIDA

SEAL :

THOMAS M. YOUCHAK, P.E.
LICENSE NO. 32725

CONSULTANT :

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SHEET TITLE :

AERIAL
VIEW

REVISIONS :

PROJECT NO.:	DATE:
512-006	JULY, 10/2020
DRAWN:	CHECKED:
A.H.	TMY

SHEET NO :

LP-1.0

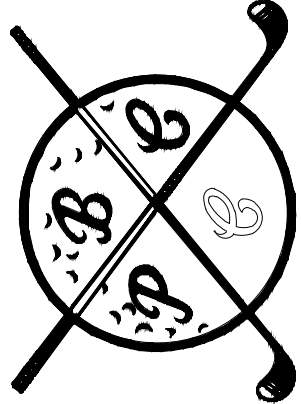
YOUCHAK
& YOUCHAK

340 ROYAL POINCIANA WAY
SUITE 328 - 710
PALM BEACH, FLORIDA 33480

PH: 561-832-3800

CERTIFICATE OF
AUTHORIZATION NO. 6205

PROJECT :



*Palm Beach
Country Club*

PALM BEACH
COUNTRY CLUB
SEAWALL LANDSCAPE
RESTORATION

PALM BEACH, FLORIDA

SEAL :

THOMAS M. YOUCHAK, P.E.
LICENSE NO. 32726

CONSULTANT :

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SHEET TITLE :

PLANTING

REVISIONS :

PROJECT NO.:	DATE:
512-006	JULY, 10/2020
DRAWN:	CHECKED:
A.H.	TMY

SHEET NO. :

LP 1.1



**PHOTO No. 1 : DWARF FAKAHATCHEE
GRASS - 3 GALLON.**



**PHOTO No. 2 : DWARF FAKAHATCHEE
GRASS - 3 GALLON.**



**PHOTO No. 3 : CARISSA MACROCARPA
- EMERALD BLANKET - 3 GALLON.**



**PHOTO No. 4 : ZAMIA MARITIMA
- CARD BOARD PALM - (25 GALLON SHOWN)
7 GALLON TO BE PLANTED.**

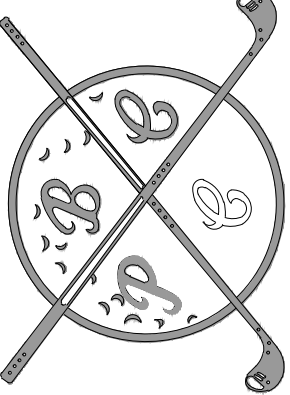
YOUCHAK
& YOUCHAK

340 ROYAL POINCIANA WAY
SUITE 328 - 710
PALM BEACH, FLORIDA 33480

PH: 561-832-3800

CERTIFICATE OF
AUTHORIZATION NO. 6205

PROJECT :



Palm Beach
Country Club

PALM BEACH
COUNTRY CLUB
SEAWALL LANDSCAPE
RESTORATION

PALM BEACH, FLORIDA

SEAL :

THOMAS M. YOUCHAK, P.E.
LICENSE NO. 32725

CONSULTANT :

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SHEET TITLE :

SEA WALL
LANDSCAPE
PLAN

REVISIONS :

PROJECT NO.:
512-006

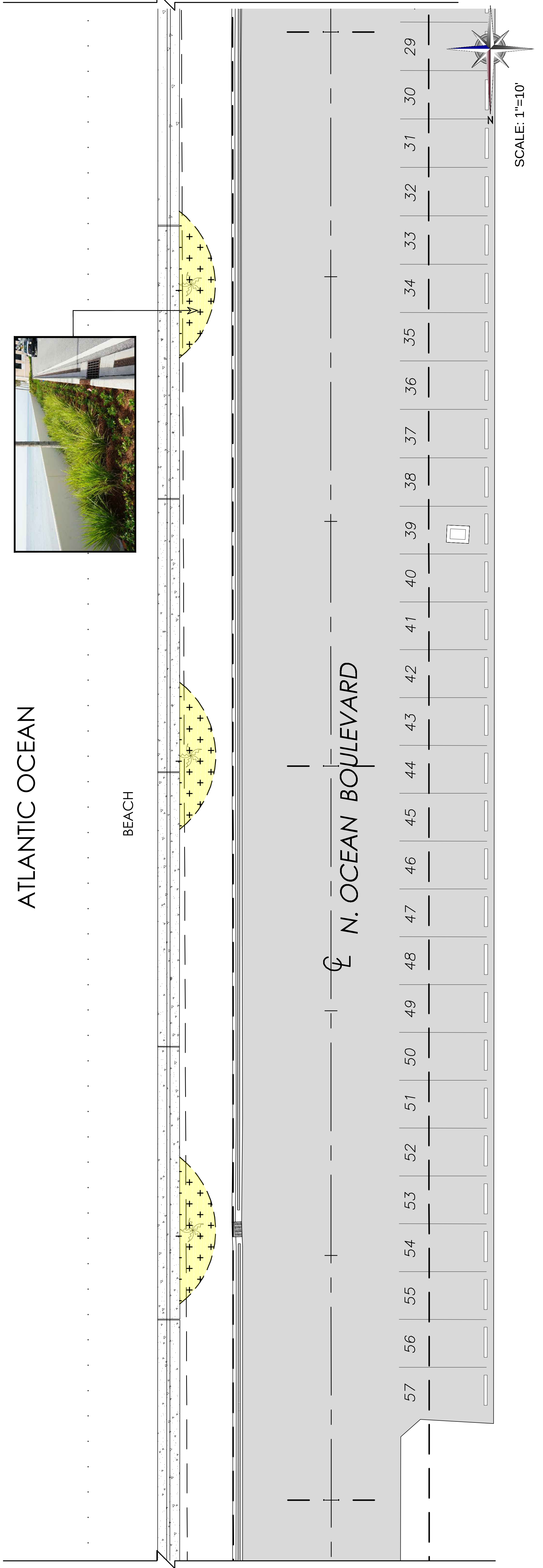
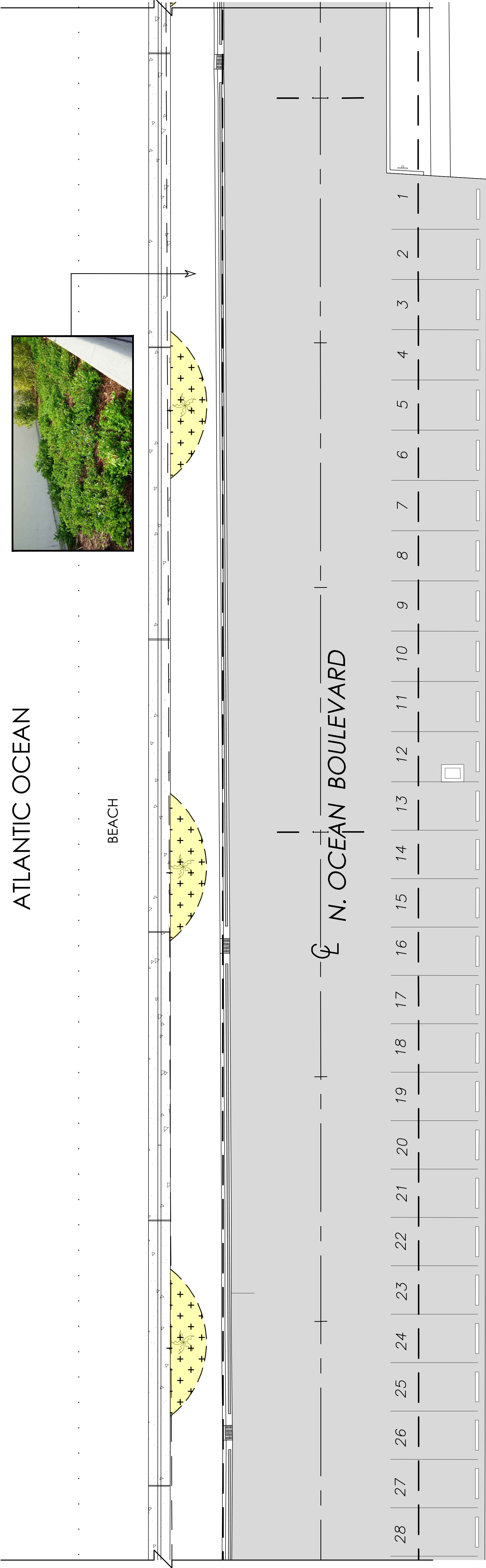
DATE:
JULY, 10/2020

DRAWN:
A.H.

CHECKED:
T.M.Y.

SHEET NO. :

LP 2.1



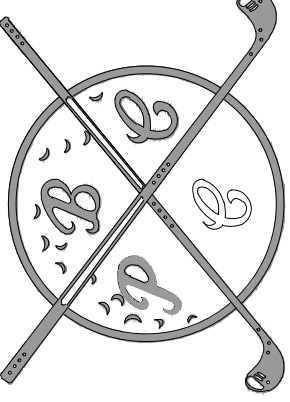
YOUCHAK
& YOUCHAK

340 ROYAL POINCIANA WAY
SUITE 328 - 710
PALM BEACH, FLORIDA 33480

PH: 561-832-3800

CERTIFICATE OF
AUTHORIZATION NO. 6205

PROJECT :



Palm Beach
Country Club

PALM BEACH
COUNTRY CLUB
SEAWALL LANDSCAPE
RESTORATION

PALM BEACH, FLORIDA

SEAL :

THOMAS M. YOUCHAK, P.E.
LICENSE NO. 32725

CONSULTANT :

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SHEET TITLE :

SEA WALL
LANDSCAPE
PLAN

REVISIONS :

PROJECT NO.:
512-006

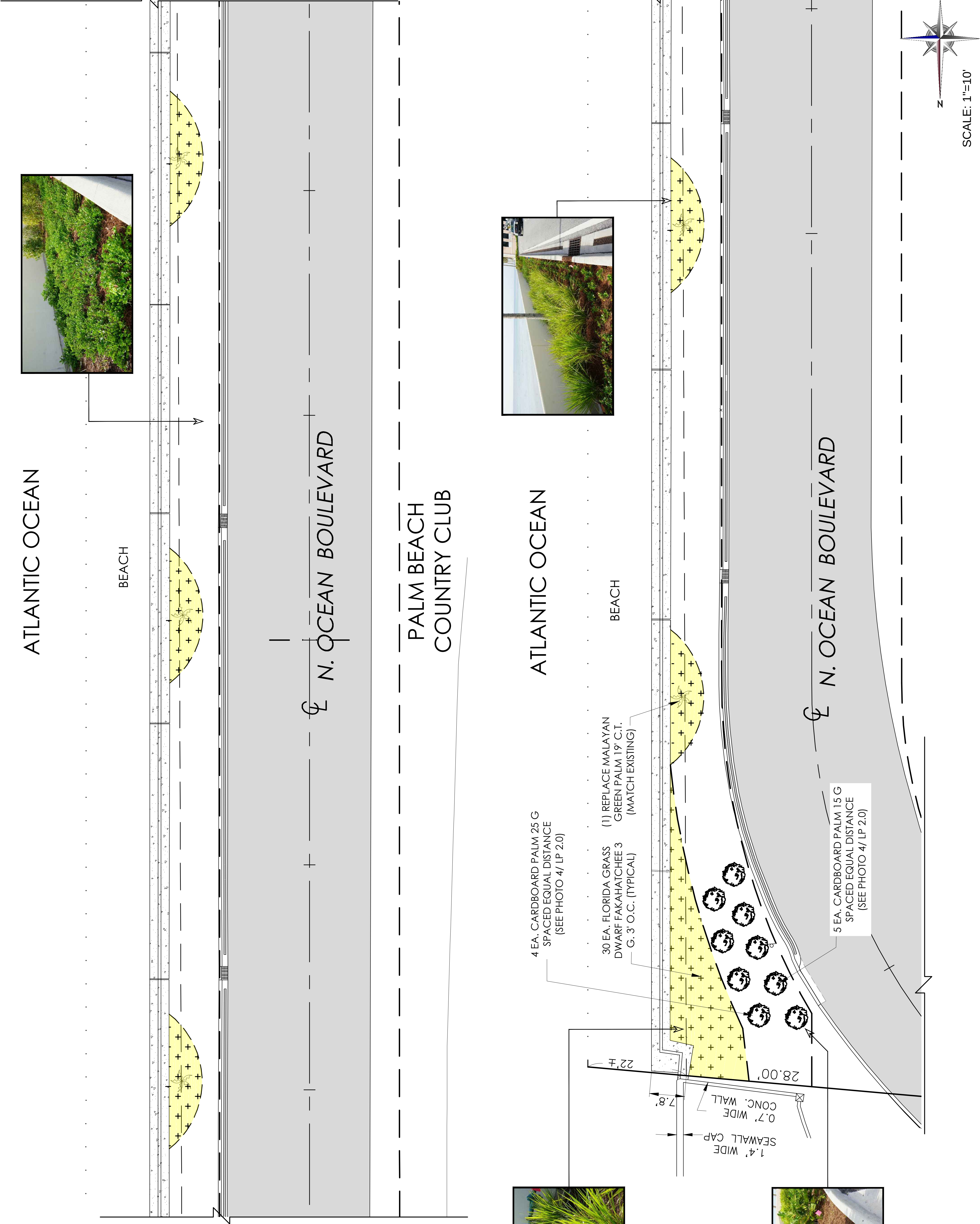
DATE:
JULY, 10/2020

DRAWN:
A.H.

CHECKED:
T.M.Y.

SHEET NO. :

LP 2.2



TOWN OF PALM BEACH

Town Council Meeting on: August 11, 2020

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Town Marina Project

H. Paul Brazil, P.E. Director of Public Works

- a. Presentation of Conceptual Plans Prepared by Fairfax, Sammons & Associates for Improvements to Town Marina Upland Amenities, Lake Drive Park and South Lake Drive
- b. Discussion Regarding Potential Change to Architecture of Dock Buildings
- c. RESOLUTION NO. 62-2020 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Increasing Purchase Order No. 190332 to Baird and Associates, Inc., in the Amount of \$50,000, for Consulting Services to Obtain Landmarks Preservation Commission Certificate of Appropriateness and Town Council Site Plan Approval, Thereby Increasing the Purchase Order from \$1,706,229.25 To \$ 1,756,229.25.
- d. RESOLUTION NO. 64-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Increasing Purchase Order No. 200662 to Murray Logan Construction Inc., in the Amount of \$700,000, for Installation of Additional Conduit, Pull Boxes and Cable to Facilitate the Lake Drive Park Redesign Project, Thereby Increasing the Purchase Order From \$21,115,772.13 to \$21,815,772.13.

Presenter

ATTACHMENTS:

- ▣ **a. Memorandum dated July 30, 2020, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **a. Appendix A - Lake Drive Park and Marina Design Review**

- ▢ **a. Appendix B - Murray Logan Preliminary Budget**
- ▢ **c. Resolution No. 62-2020**
- ▢ **d. Resolution No. 64-2020**

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: H. Paul Brazil, P. E., Director of Public Works

RE: Presentation of Conceptual Plans Prepared by Fairfax, Sammons & Associates for Improvements to Town Marina Upland Amenities, Lake Drive Park and South Lake Drive
Resolution No. 62-2020 Baird and Associates Inc.
Resolution No. 64-2020 Murray Logan Construction Inc.

DATE: July 30, 2020

STAFF RECOMMENDATION

Town staff requests that the Town Council review the conceptual plans developed by Fairfax & Sammons for the re-design of Lake Drive Park.

Staff recommends that the Town Council approve Resolution No. 62-2020 authorizing a \$50,000 change order to Baird and Associates' existing Purchase Order for Landmarks Preservation Commission Certificate of Appropriateness and Town Council site plan approval.

Additionally, staff requests direction concerning Resolution No. 64-2020 authorizing a \$700,000 Change Order to Murray Logan Construction Inc. for additional conduit pull box and cable installation, if Town Council believes that the Lake Trail will be relocated adjacent to the seawall in the near future.

GENERAL INFORMATION

The concepts developed by the consultant, Fairfax & Sammons (F&S) for proposed Lake Drive Park improvements will be presented to the Town Council at the August 11, 2020 meeting. The presentation is attached as Appendix A. A preliminary cost estimate was one of the deliverables of this contract and that estimate is also included in Appendix A. Please note that the estimate is not complete.

The concept was discussed with staff on multiple occasions as the plan was evolving. Staff provided information as requests were received.

After the presentation and review by the Town Council, staff will need direction from the Town Council. If the Town Council chooses to move forward with implementing these improvements, staff recommends the following schedule:

- **August 11 Town Council**: Consultant (F&S) presents conceptual plans to the Mayor and Town Council to ensure they are moving in a design direction consistent with the Town's desire.
- **August 19 Landmarks Preservation Commission**: Consultant (F&S) presents ideas initially endorsed by Council for an informal review by LP commissioners and also utilizes venue as the public input session.

- **September 8 Town Council Meeting:** Consultant (F&S) presents final recommendations to Mayor and Town Council for approval. Because of the contractual method chosen by the Town Council to retain Fairfax and Sammons, this will end their involvement with the project.
- **October 21/November 18 Landmarks Preservation Commission:** Formal application presented for consideration. A new consultant will need to be retained well before this date so that plans can be developed for presentation at this meeting. Please note that back-up is due thirty (30) days before the meeting. It may not be possible to be ready for the October meeting.
- **November 13/December 8 Town Council Development Review:** Site plan approved by Town Council.

If the Town Council chooses to move forward with this project on this schedule, the following tasks must be authorized and funded:

- **Landmarks Preservation Commission (LPC) Application and Participation in Public Meetings** – The concept(s) approved for consideration by the Town Council will be presented informally to LPC at its meeting on August 19, 2020. This will be presented by Fairfax and Sammons. As stated above, the Town will need to retain another consultant to obtain necessary approvals including LPC Certificate of Appropriateness and Site Plan approval by the Town Council. The consultant preparing the LPC application should participate in the informal LPC review meeting to understand any comments made and any public input received. The cost for this task needs to be negotiated based upon the required scope and timeline, but is estimated to be on the order of \$50K. This work is not budgeted. To expedite this effort, staff recommends that the Town Council approve Resolution No. 62-2020 authorizing a \$50,000 change order to Baird and Associates' existing Purchase Order. This is an estimate of the fees and additional funding may be needed. Staff is recommending that the funding come from the General Fund Contingency. Please note, this is not the final design and specifications.
- **Town Marina Project Mitigation and Revisions** – The construction project for the Marina is progressing and, depending upon the approved concepts for the new Lake Drive Park project, there will likely be impacts to the current design. If the Lake Trail path is relocated against the bulkhead, there would be significant utility implications since the current design assumed the path would remain in its existing location. The major consequence would be the relocation of FPL transformers being installed for the new docks and buildings. Our contractor is currently installing these utilities according to the original design.

In order to mitigate some of the impacts, it is possible to install additional conduit and associated infrastructure in such a way that future relocation of electrical equipment could be accommodated more cost effectively. Staff recommends a task budget of \$700,000 to accomplish this work. Please see Appendix B – Preliminary Budget Estimate. This work is not budgeted.

Staff requests direction concerning Resolution No. 64-2020 authorizing a Change Order to Murray Logan Construction Inc. for additional conduit pull box and cable installation. This work would only be necessary if Town Council chooses to relocate the path adjacent to the seawall. Staff is recommending that the funding come from the General Fund Contingency.

- **Design Consultant Approval and Authorization for Lake Drive Park Project** – The concept proposed by Fairfax & Sammons will need to be developed into final plans and specifications. That consultant has not been selected yet and the scope of services and associated fees would need to be negotiated. For efficiency and coordination, this consultant should be the same one that is tasked with the LPC application. Budget estimate would depend upon the magnitude of the desired improvements, but if a project cost range of \$5-10M is assumed, then the design consultant fees may be \$500K or more. This work is also not budgeted.

FUNDING/FISCAL IMPACT

This project is not funded. The interim tasks described above are also not funded.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

Attachments

cc: Jay Boodheshwar, Deputy Town Manager
Eric Brown, P.E., Assistant Director of Public Works
Carolyn Stone, Director of Business Development & Operations
Jane LeClainche, Finance Director
Dean Mealy, Purchasing Manager
Jason Debrincat, P.E., Senior Project Engineer
Anne Fairfax, Fairfax, Sammons & Associates



LAKE DRIVE PARK AND MARINA
DESIGN REVIEW
for The Town of Palm Beach, Florida



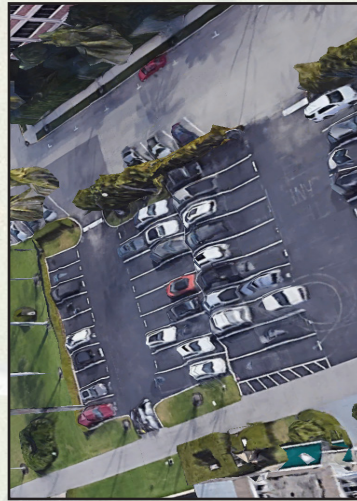
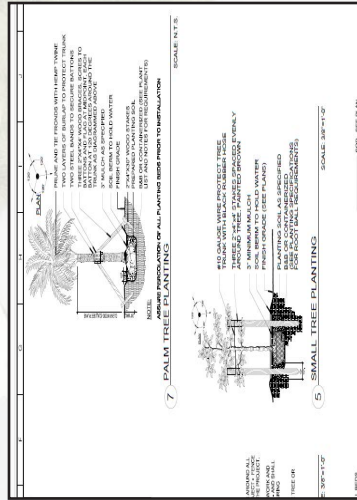
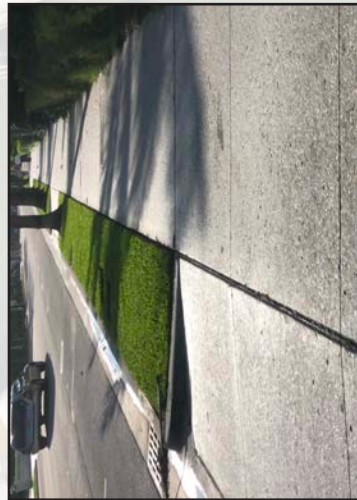
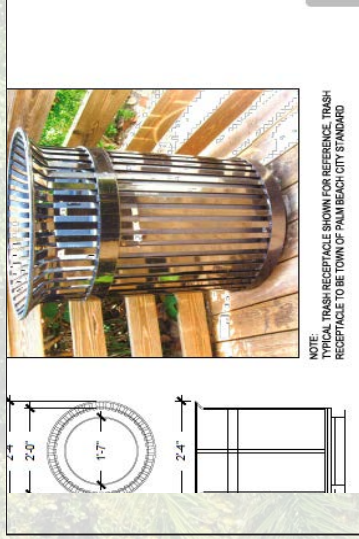
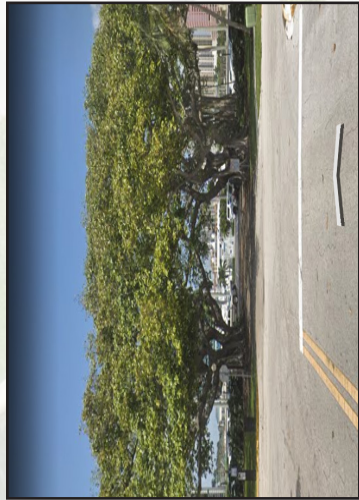
PROJECT PROCESS

- Gather and review all documents, prior meeting conclusions
- Interview Neighborhood Groups
- Coordinate Initial Concepts with Town of Palm Beach Public Works
- Review Design with all Town Council Members prior to formal presentation
- Review Final Design with Neighborhood Groups

INTEGRATE ALL ASPECTS OF THE PARK

All the various parts of the new town dock design were approached separately with no one firm given the directive to bring all the parts together in an aesthetic whole

LANDSCAPE PARKING PATHS INFRASTRUCTURE BUILDINGS AMENITIES PLACE



Town Council Approved Plan provided as Blueprint

Final Recommendation: Concept A-1



<u>SITE DATA</u>	<u>EXISTING</u>	<u>PROPOSED</u>	<u>NET CHANGE</u>	
GREEN SPACE	158,775 SF	158,775 SF	0 SF	
		4,137 SF (SEAWALL)	4,137 SF	
		4,413 SF (CURB EXTENSIONS)	4,413 SF	
			8,550 SF ?	Cost Estimate: \$TBD
PARKING LOTS	126 SPACES	126 SPACES	0 SPACES	
S. LAKE DR. PARKING	62 WEST SPACES 29 EAST SPACES 91 SPACES	42 WEST SPACES 25 EAST SPACES 67 SPACES	-20 SPACES -4 SPACES -26 SPACES	



- No change to marina parking lot footprints or parking capacity.
- All 3 marina lots includes landscaping buffers to create barrier and soften edges.
- Vehicular and pedestrian gate access to/from marina parking lots.
- Two new crosswalks at Australian and Peruvian, and two access paths to Lake Trail.
- Angled parking reduced by 33 to create landscape islands for required set backs, 13 parallel spaces, sidewalk section between Australian and Brazilian to connect crosswalks to access path to Lake Trail.

DESIGN PRINCIPLES

**FIRMNESS - Durability, Contractibility,
Maintenance**

COMMODITY - Functionality, Ease of Use

**DELIGHT - Is it beautiful? Does it enhance the park
experience?**

SPECIFIC AREAS OF CONCERN

Vehicular Speed on South Lake Drive

Preservation of green space

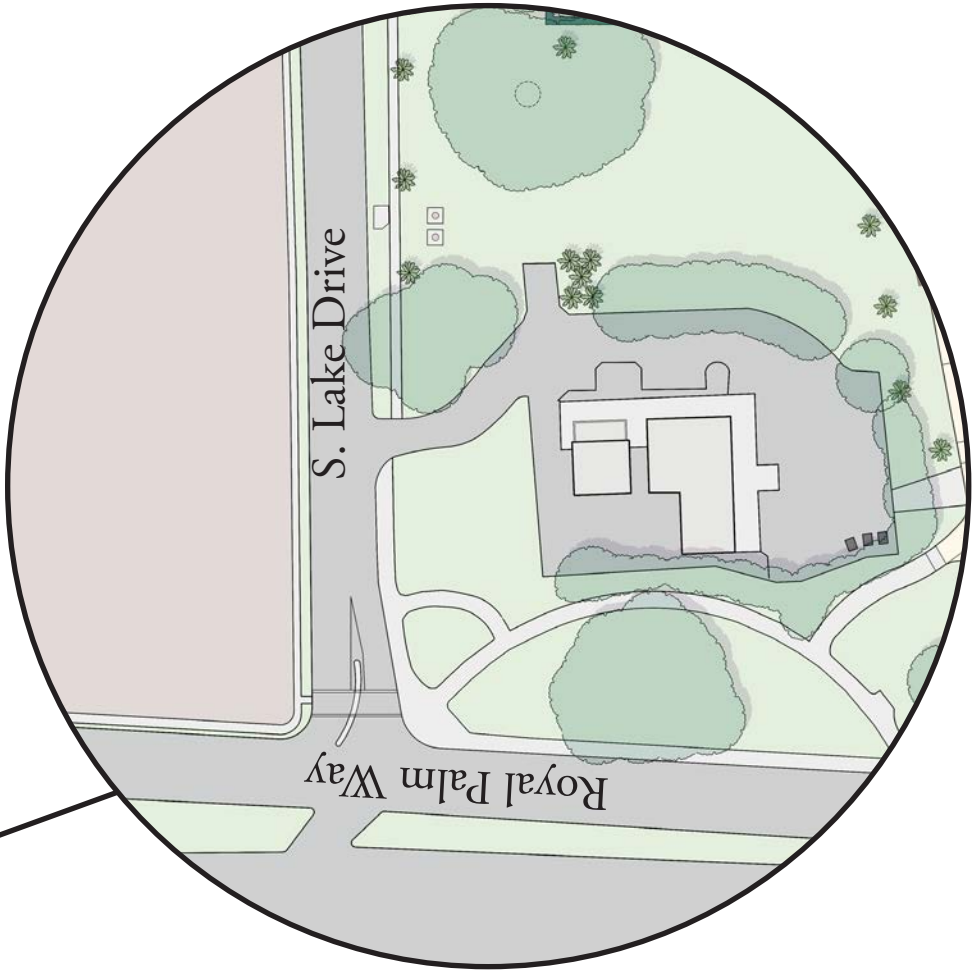
Parking

Security

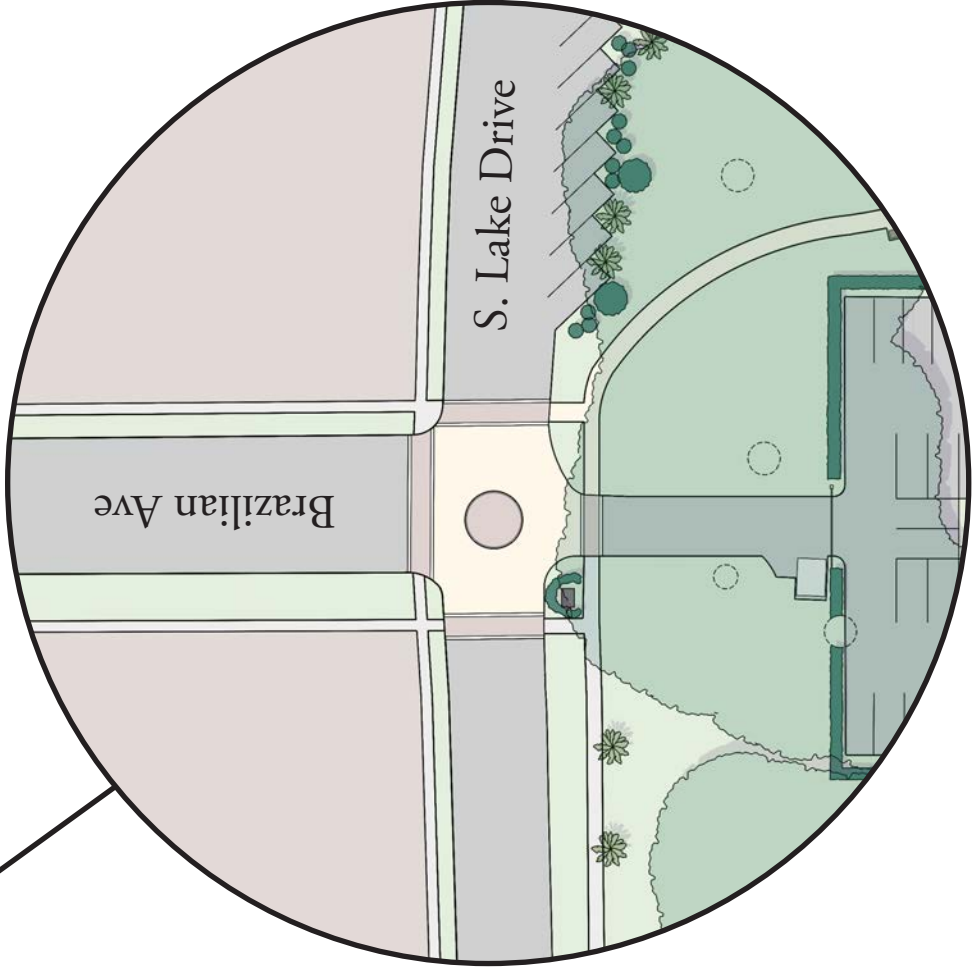
Enhancement of user experience

TRAFFIC CALMING

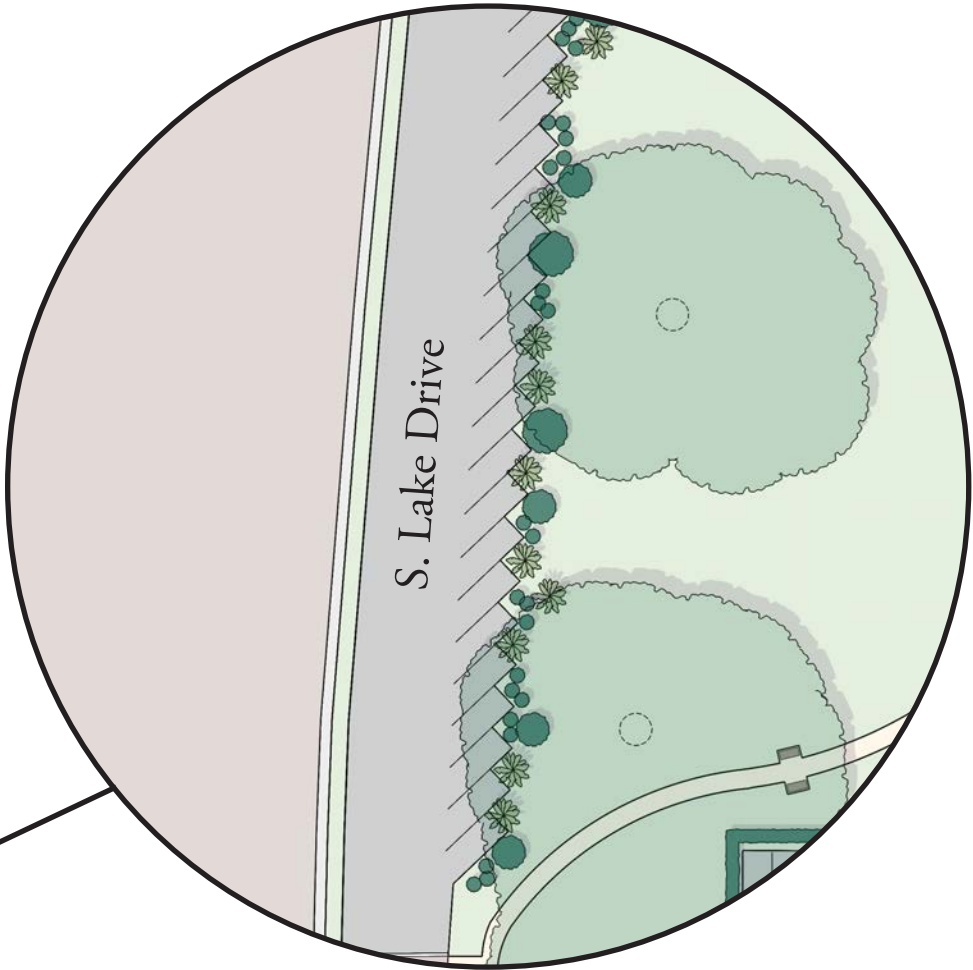




Tightening Radius at Intersection



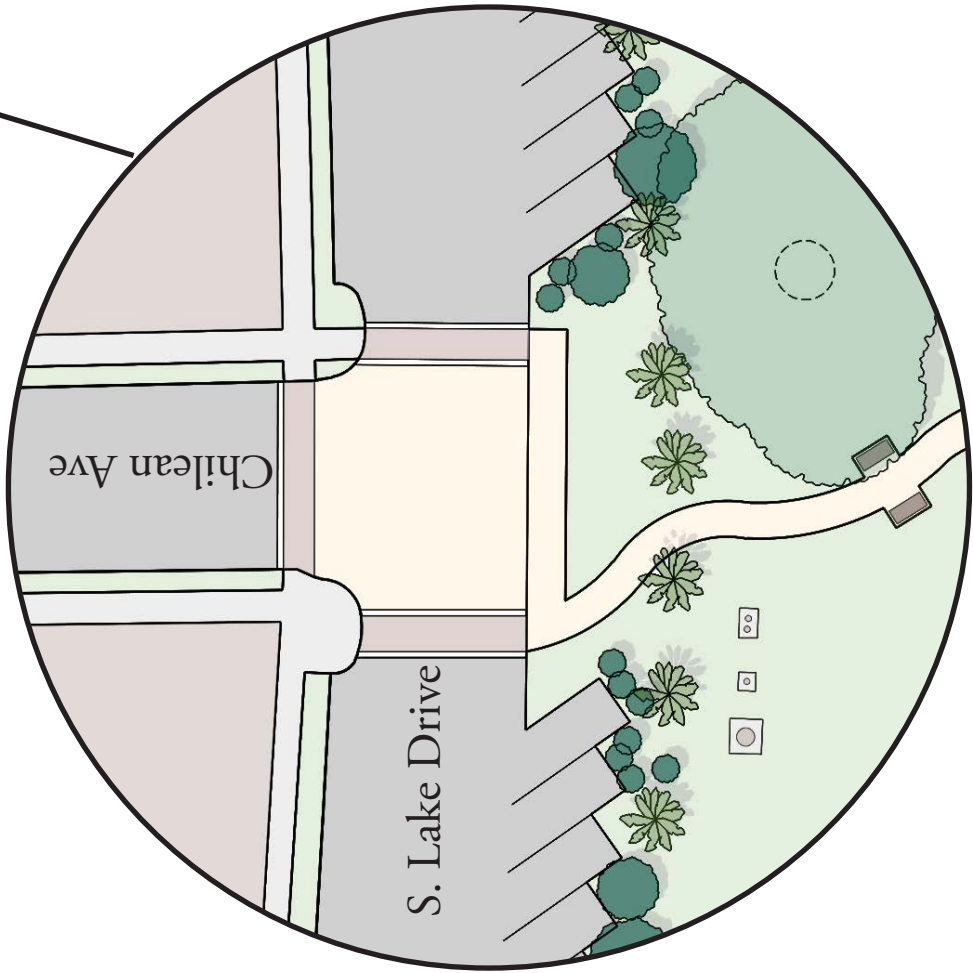
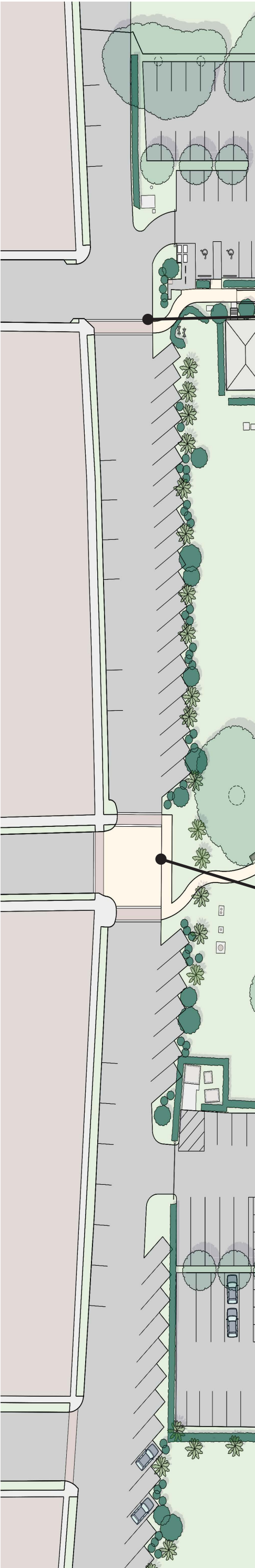
Roundabout at Brazilian Avenue



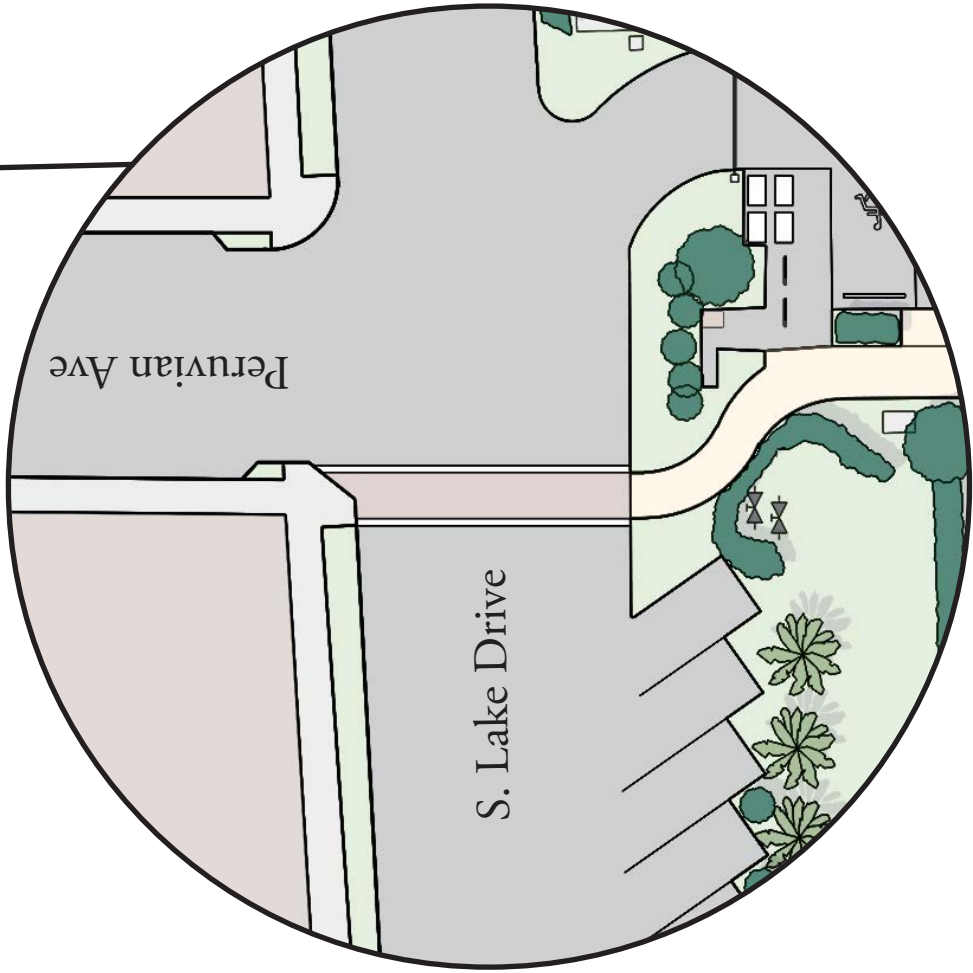
Diagonal Parking

Traffic Calming Techniques

FAIRFAX, SAMMONS & PARTNERS LLC



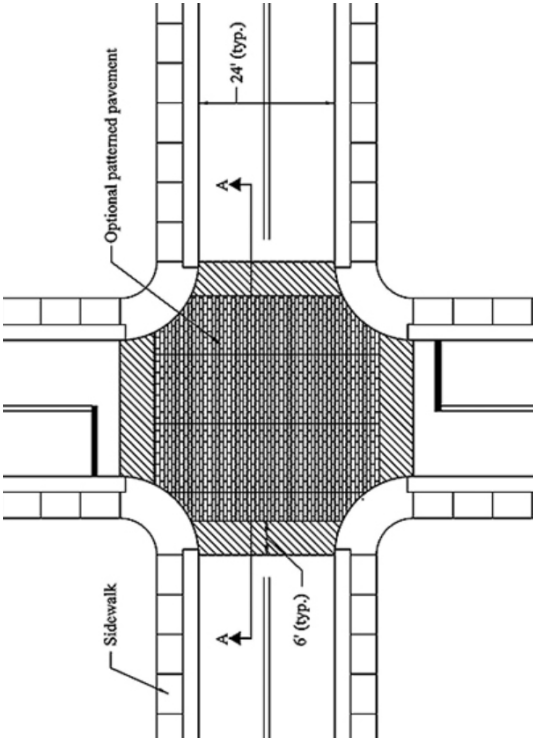
Speed Table at Chilean Ave



Raised Crosswalk at Peruvian Avenue

Traffic Calming Techniques

Crosswalk & Roundabout

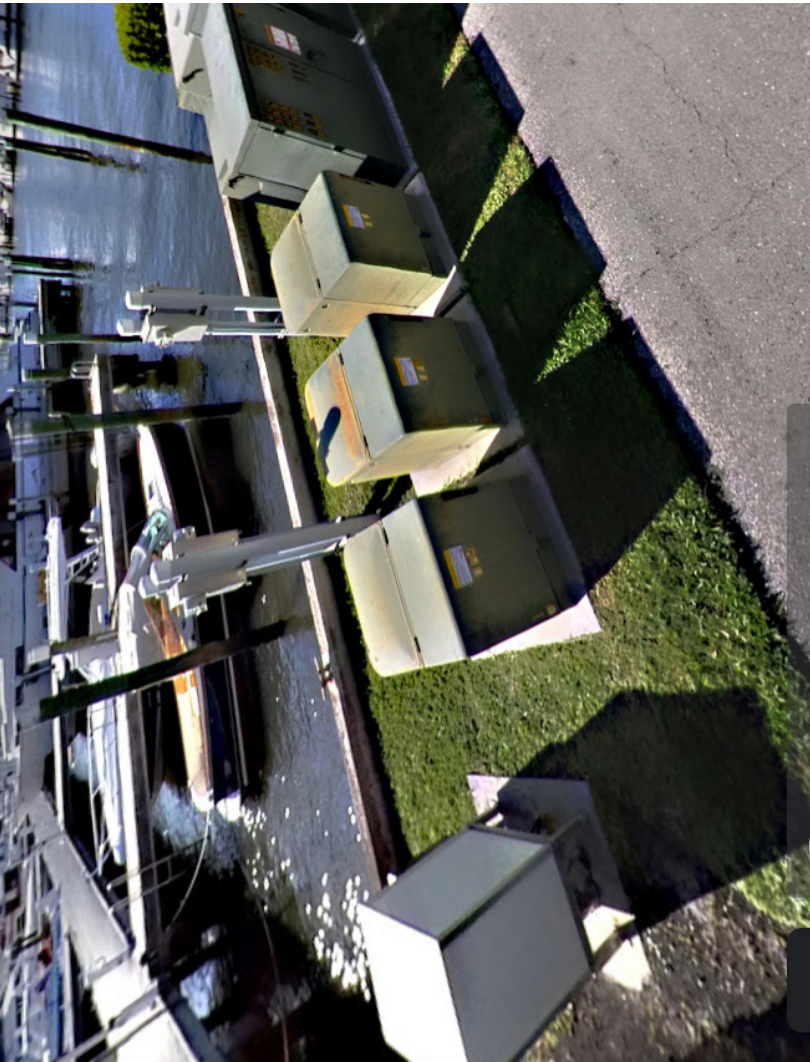
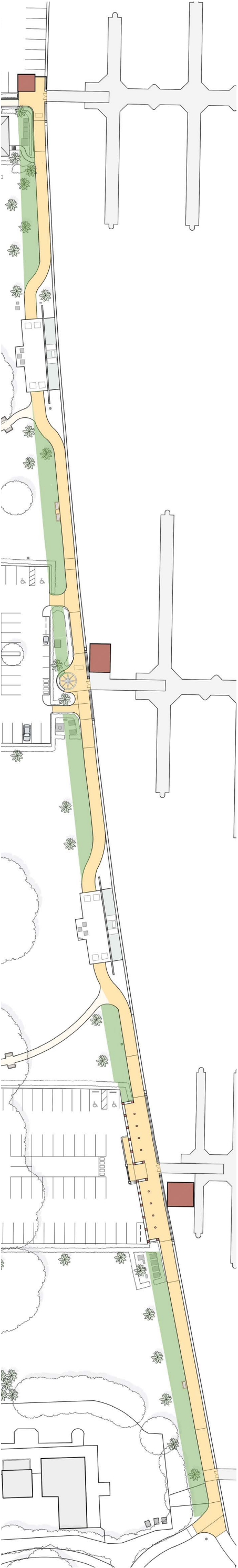




PARK ENHANCEMENTS AND PRESERVATION OF GREENSPACE

FAIRFAX, SAMMONS & PARTNERS LLC

TOWN OF PALM BEACH MARINA & LAKE DRIVE PARK DESIGN REVIEW



Move Lake Trail next to Seawall

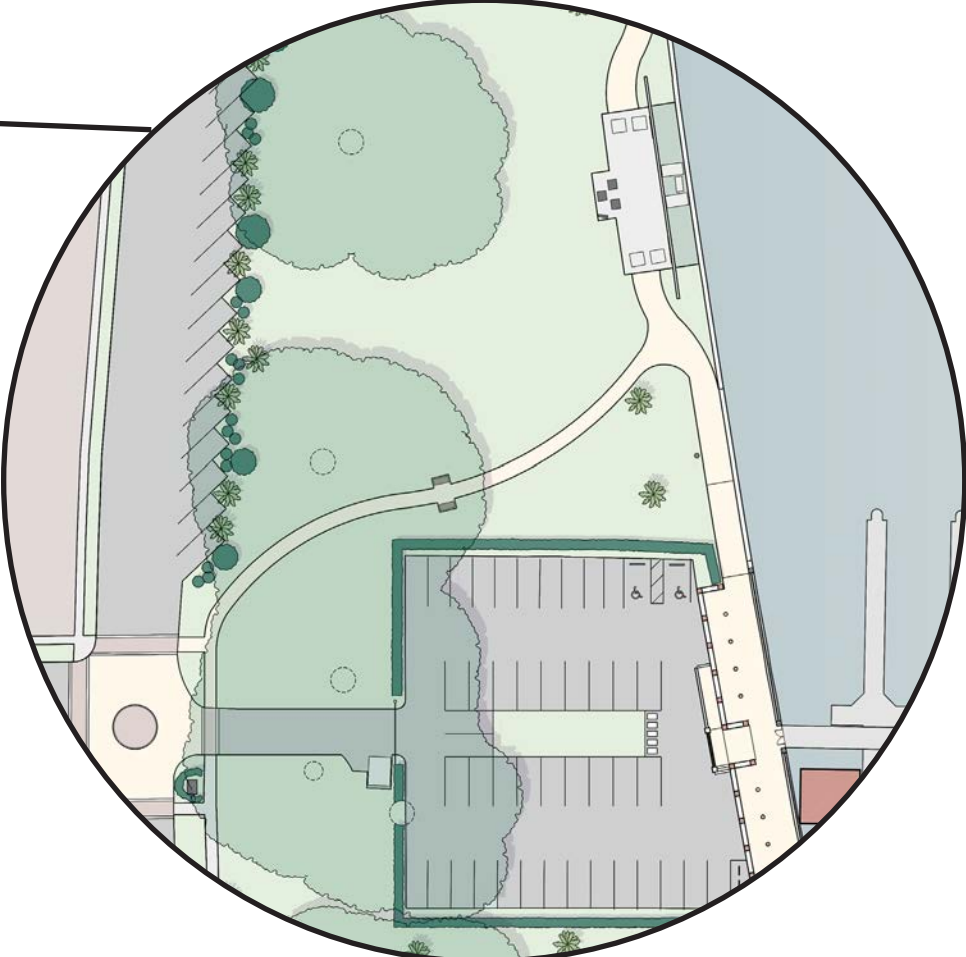
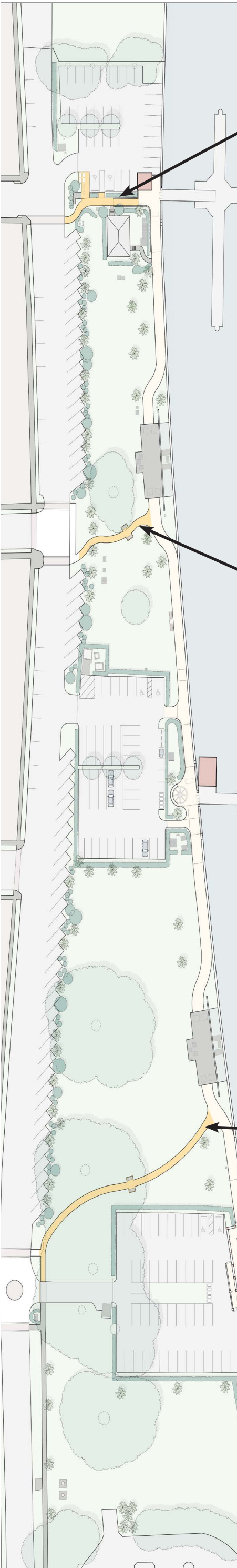
FAIRFAX, SAMMONS & PARTNERS LLC

TOWN OF PALM BEACH MARINA & LAKE DRIVE PARK DESIGN REVIEW

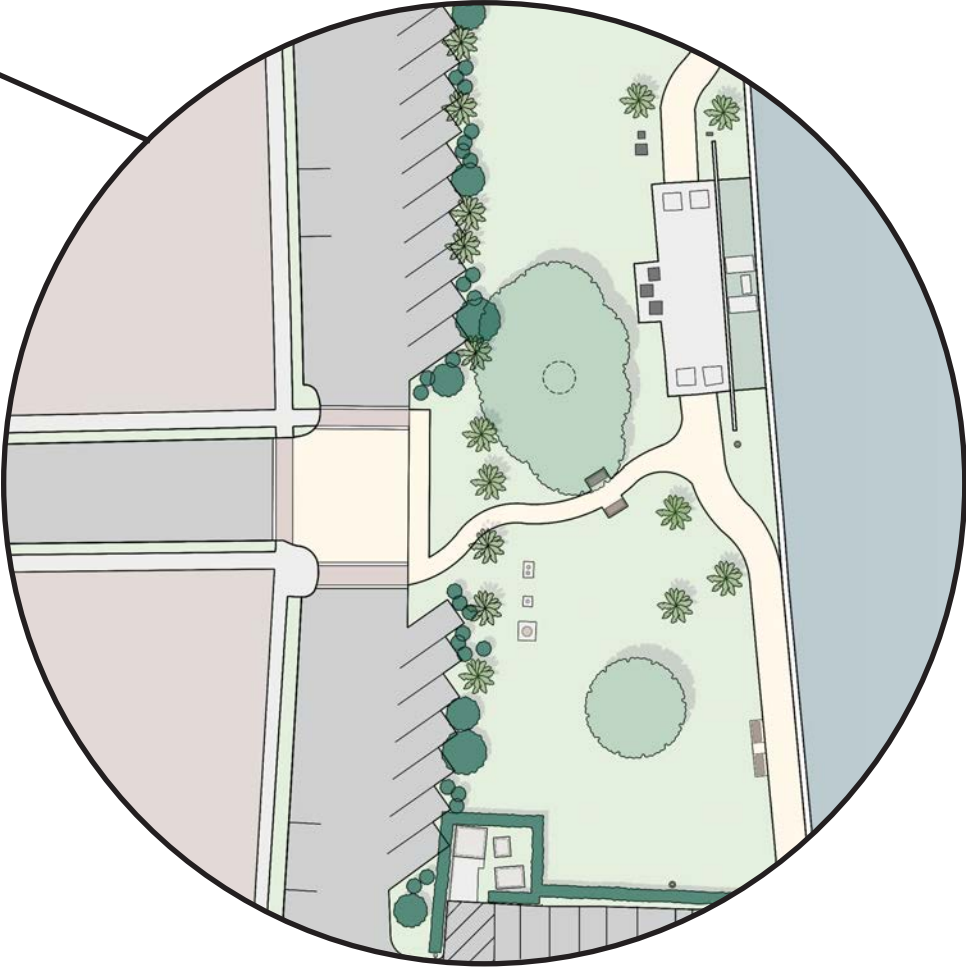


FAIRFAX, SAMMONS & PARTNERS LLC

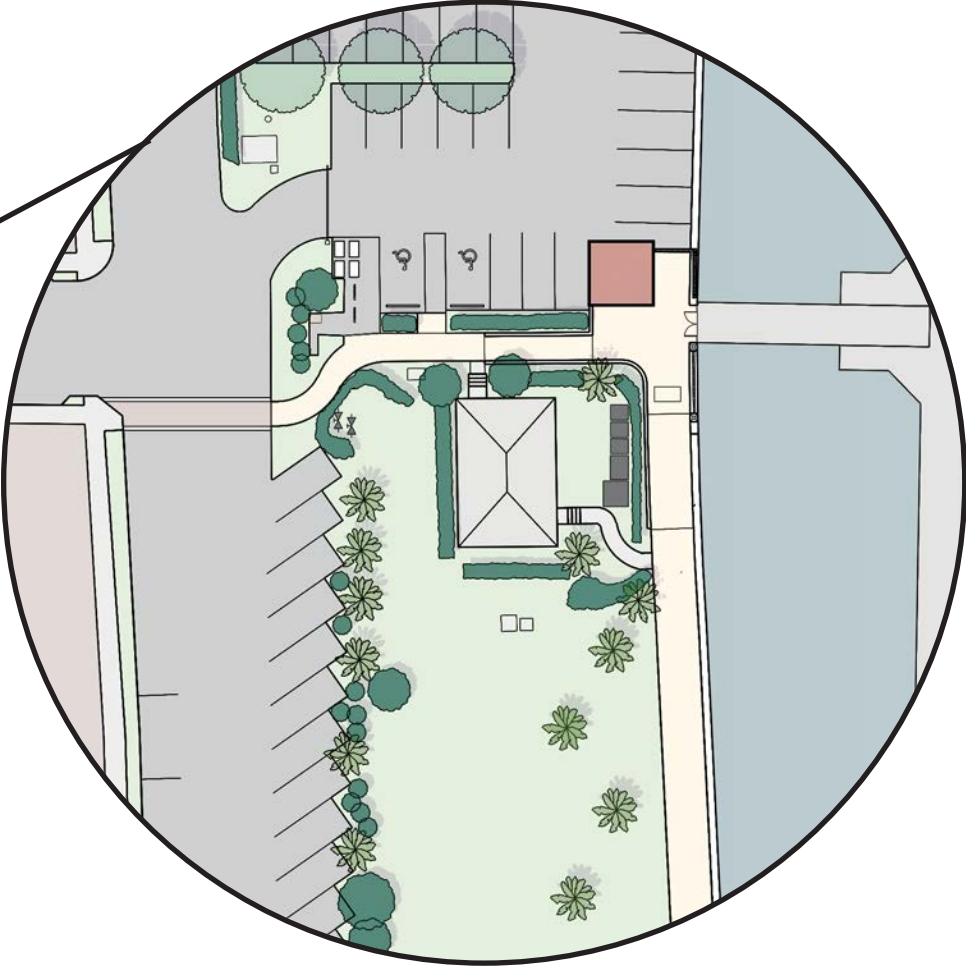
TOWN OF PALM BEACH MARINA & LAKE DRIVE PARK DESIGN REVIEW



Path linking Brazilian Intersection



Path linking Chilean Intersection



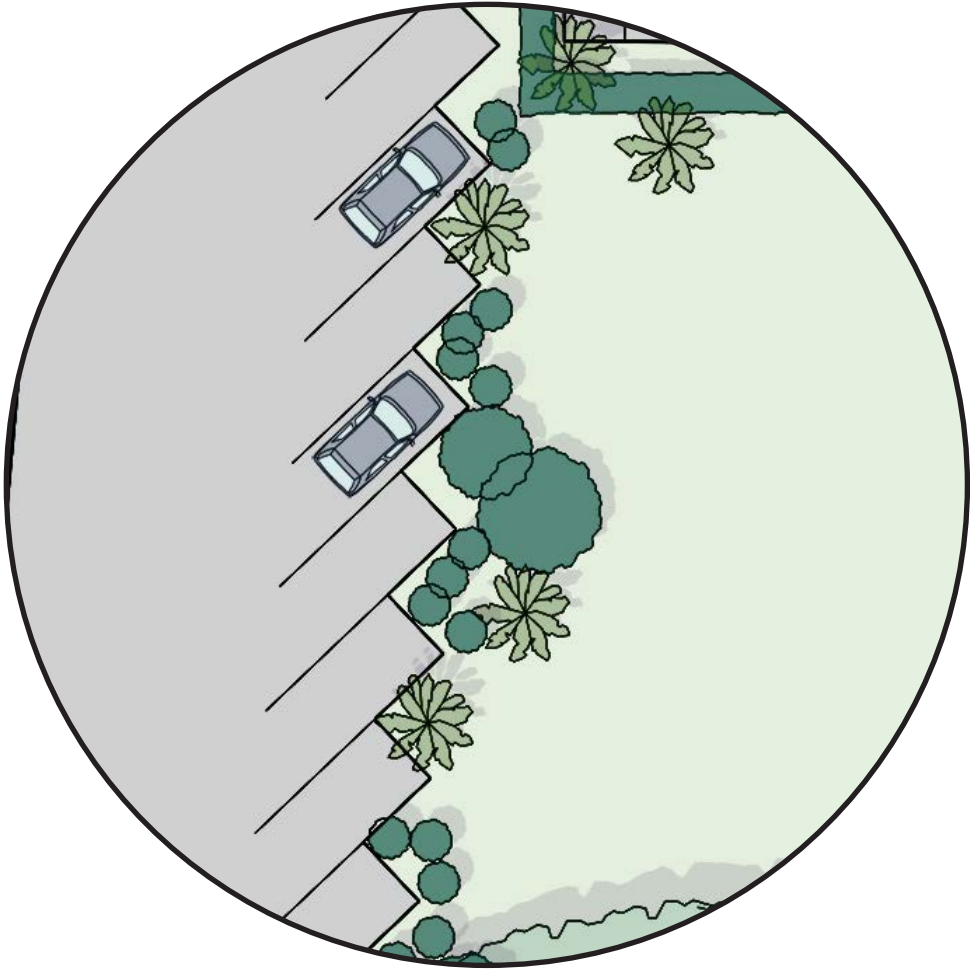
Path linking Peruvian Intersection

Introduce new Pathways through the Park

FAIRFAX, SAMMONS & PARTNERS LLC

TOWN OF PALM BEACH MARINA & LAKE DRIVE PARK DESIGN REVIEW





Diagonal Parking Planting



Existing Diagonal Parking

New Planting Area next to Diagonal Parking

FAIRFAX, SAMMONS & PARTNERS LLC

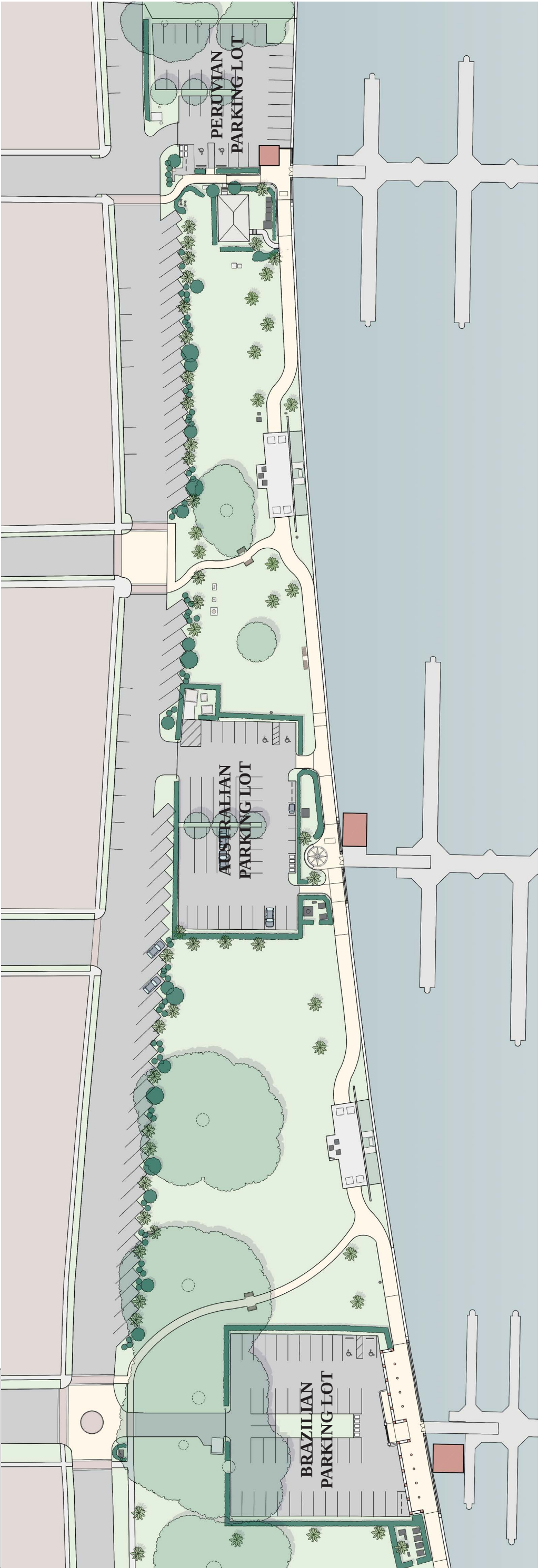
TOWN OF PALM BEACH MARINA & LAKE DRIVE PARK DESIGN REVIEW



FAIRFAX, SAMMONS & PARTNERS LLC

TOWN OF PALM BEACH MARINA & LAKE DRIVE PARK DESIGN REVIEW

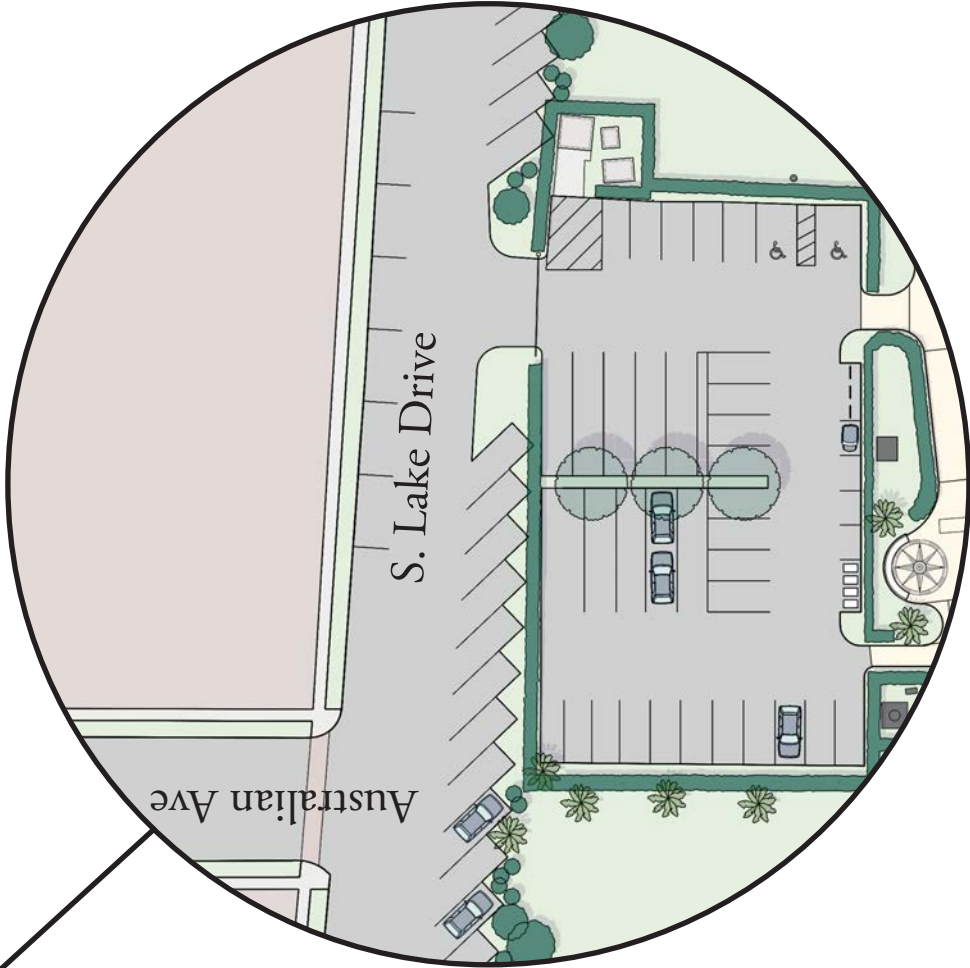
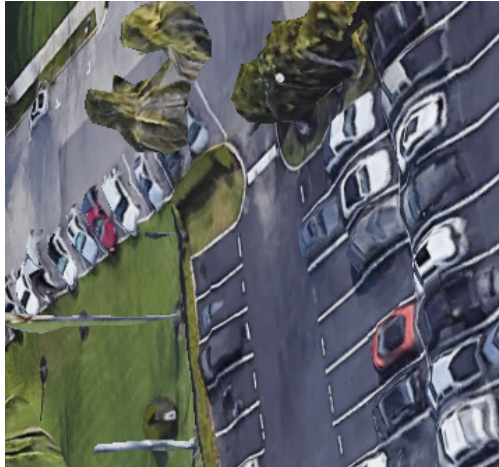
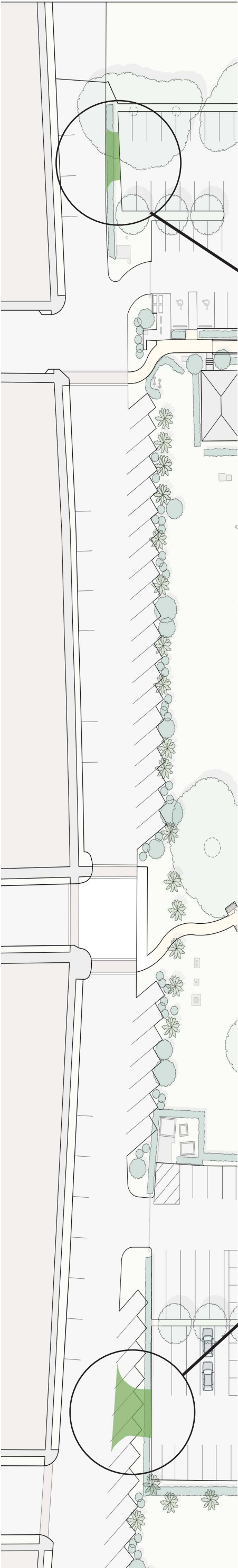
PARKING COUNT	
A-1 LOT TOTAL	126
BRAZILIAN	46
AUSTRALIAN	46
PERUVIAN	35
LOT TOTAL	127
A-1 STREET	42
WEST STREET	59
A-1 TOTAL	168
PROPOSED	186
NET CHANGE	+18



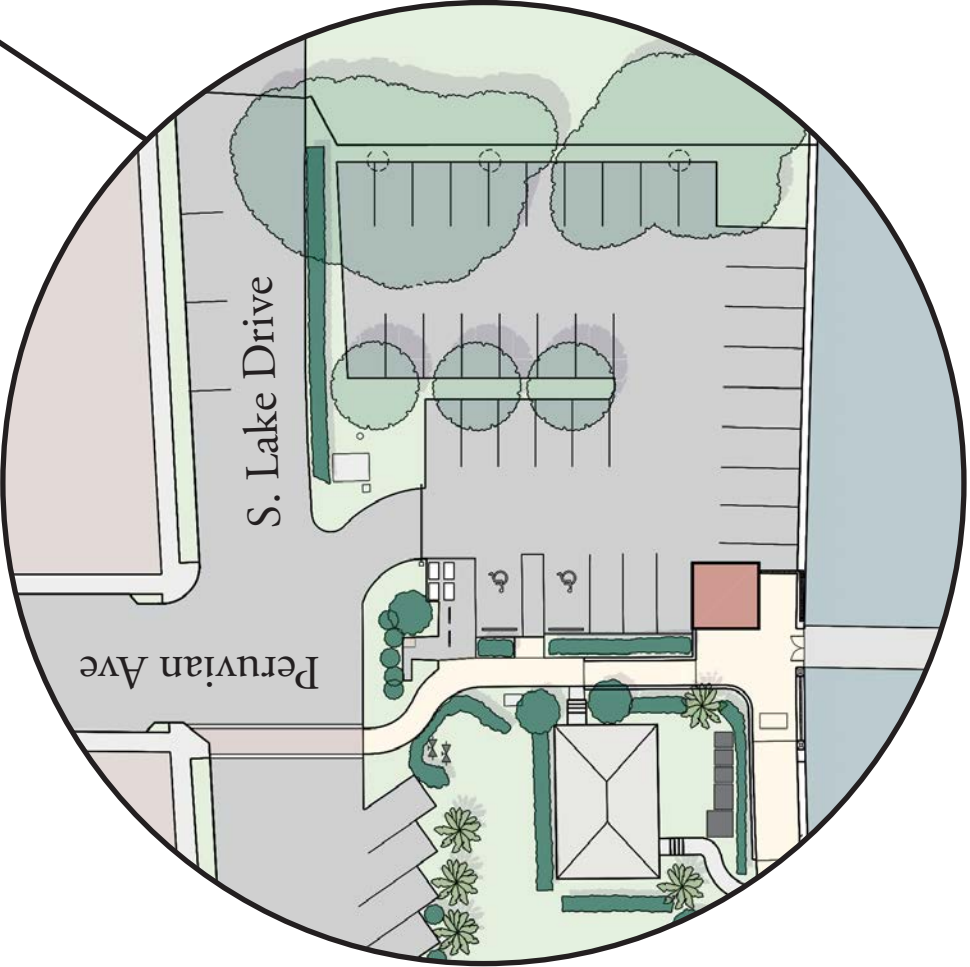
Parking Lot Improvements

FAIRFAX, SAMMONS & PARTNERS LLC

TOWN OF PALM BEACH MARINA & LAKE DRIVE PARK DESIGN REVIEW



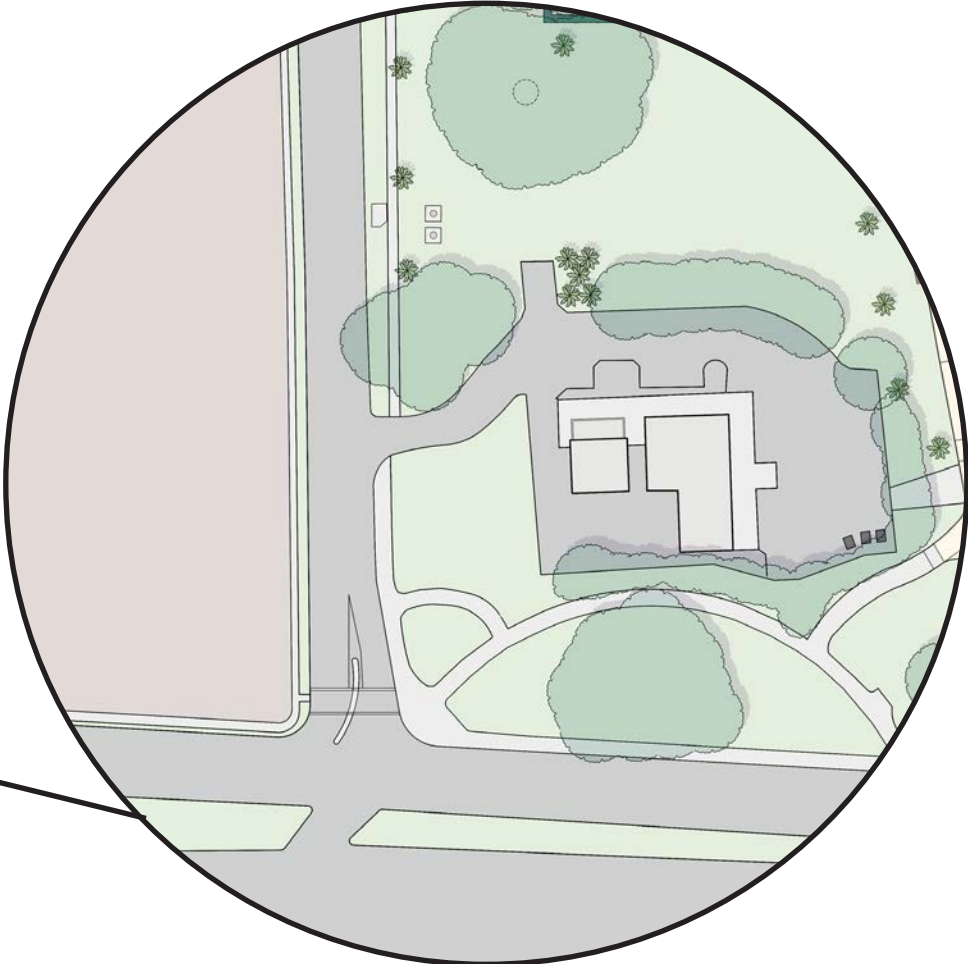
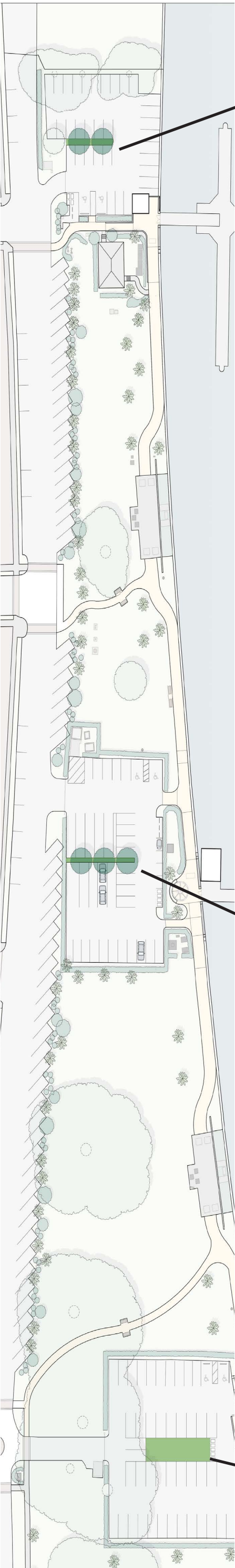
Australian Parking Entry



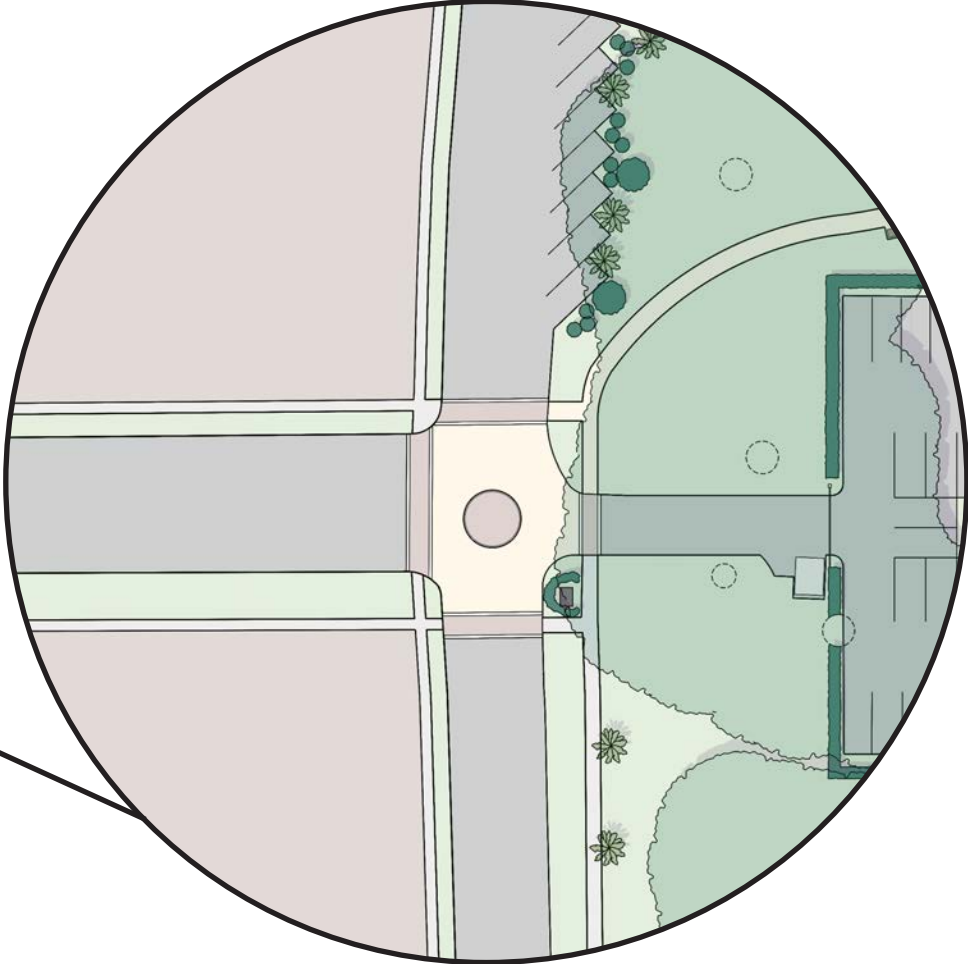
Peruvian Parking Entry



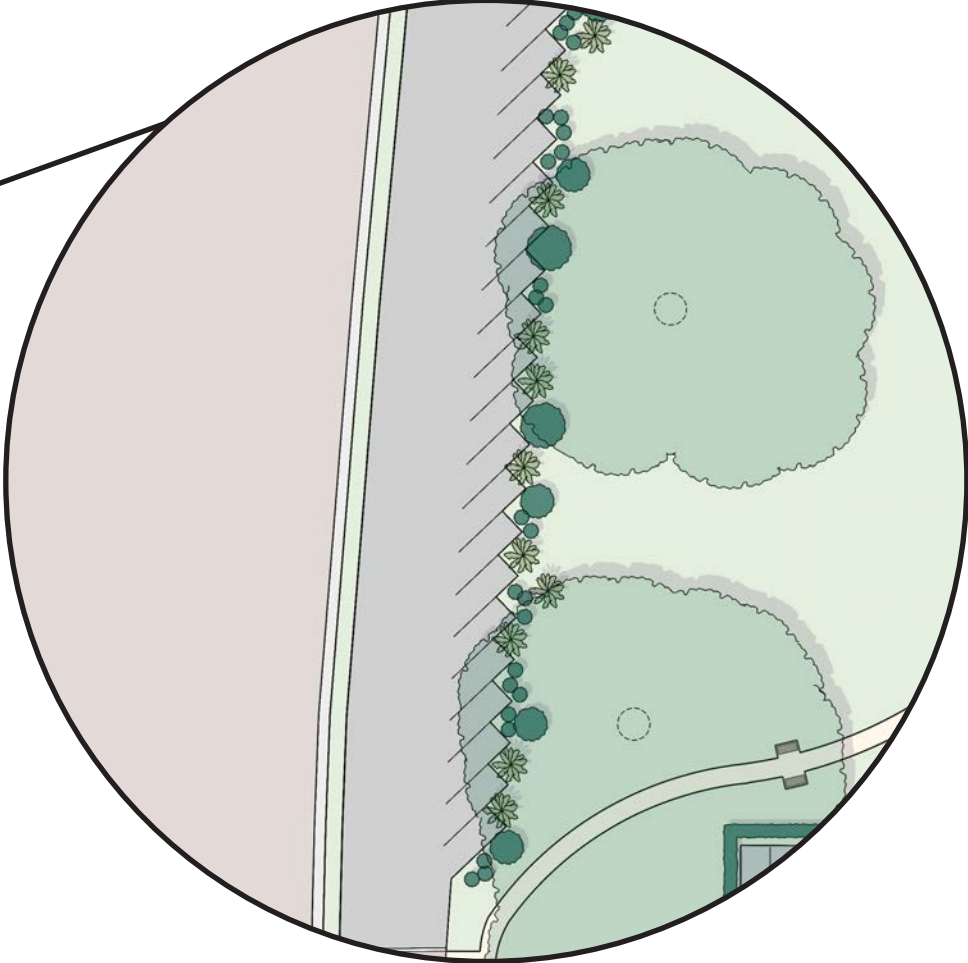
Remove Redundant Parking Lot Entries to add Green Screening



Path linking Brazilian Intersection



Path linking Chilean Intersection

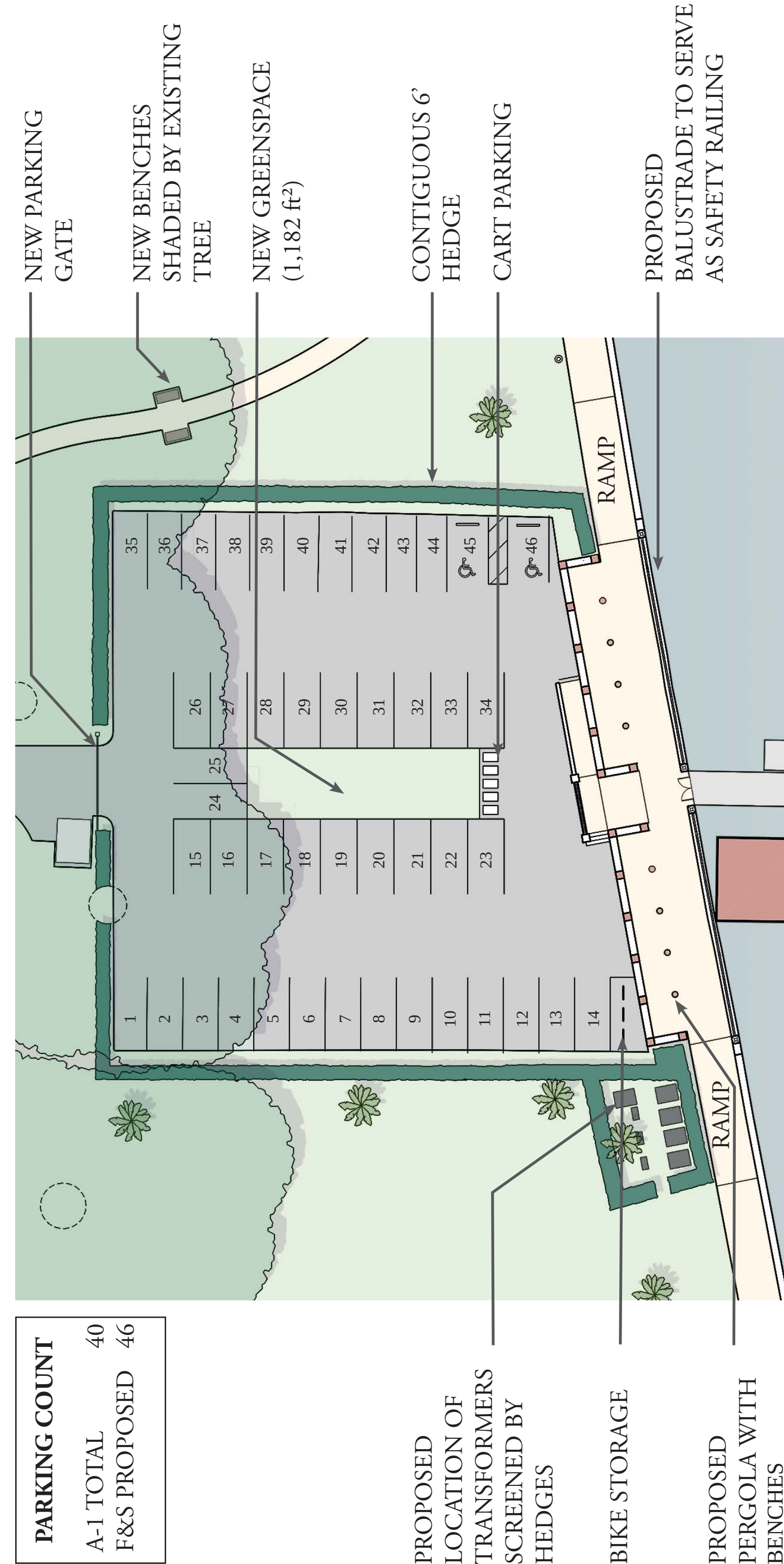


Path linking Peruvian Intersection

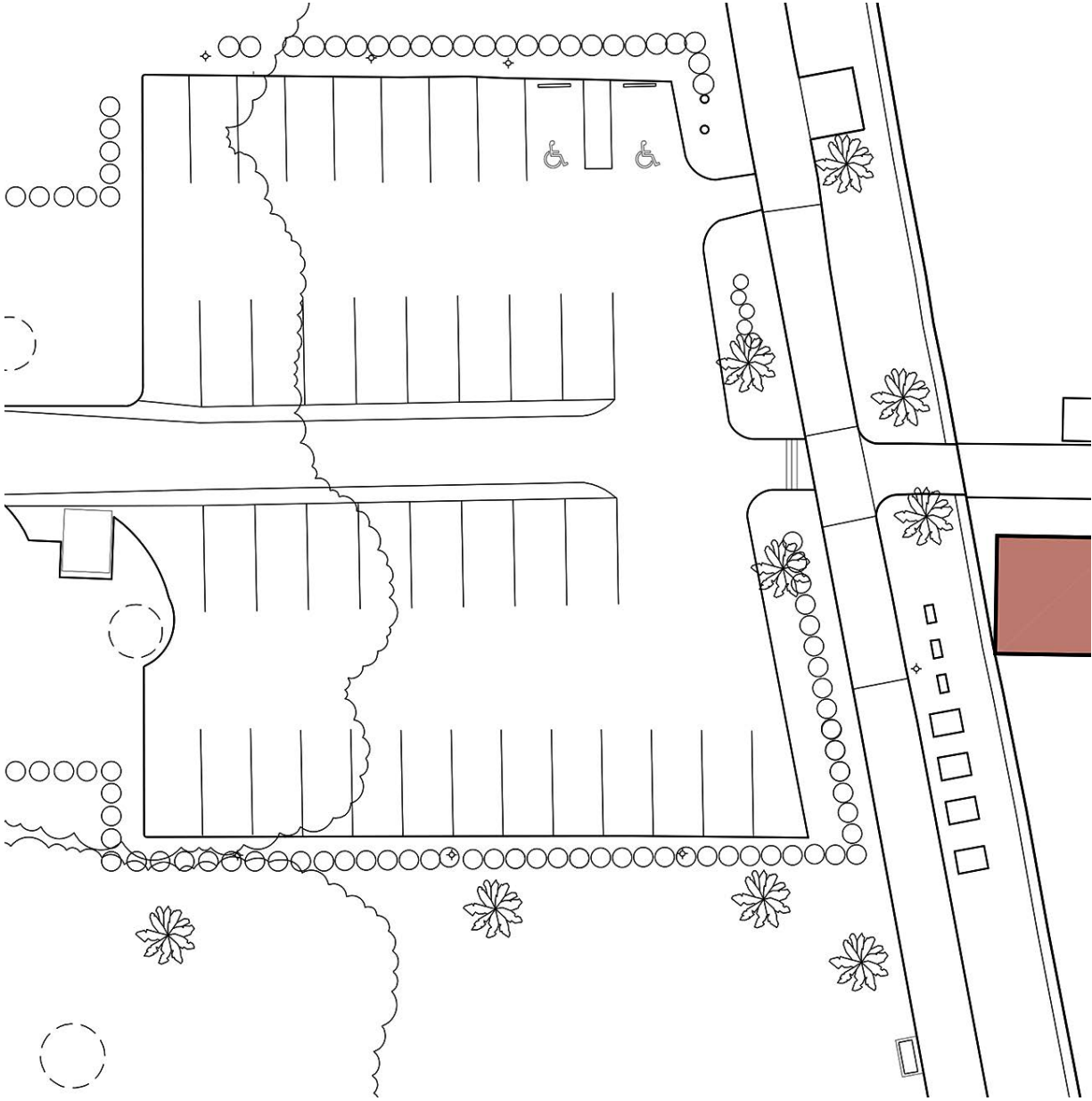
Introduce More Permeable Areas into Parking Lots

FAIRFAX, SAMMONS & PARTNERS LLC

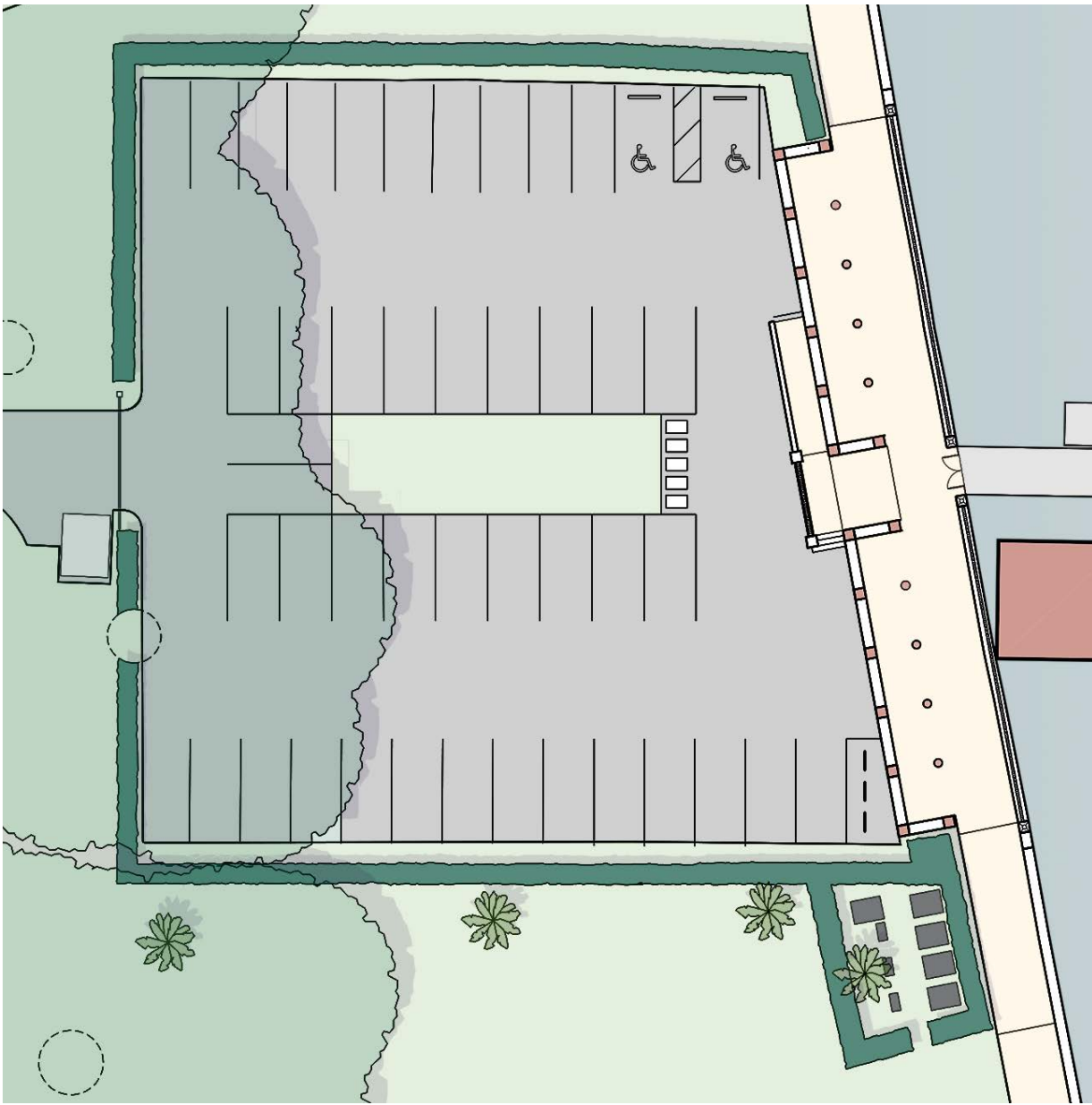
TOWN OF PALM BEACH MARINA & LAKE DRIVE PARK DESIGN REVIEW



Brazilian Parking Lot



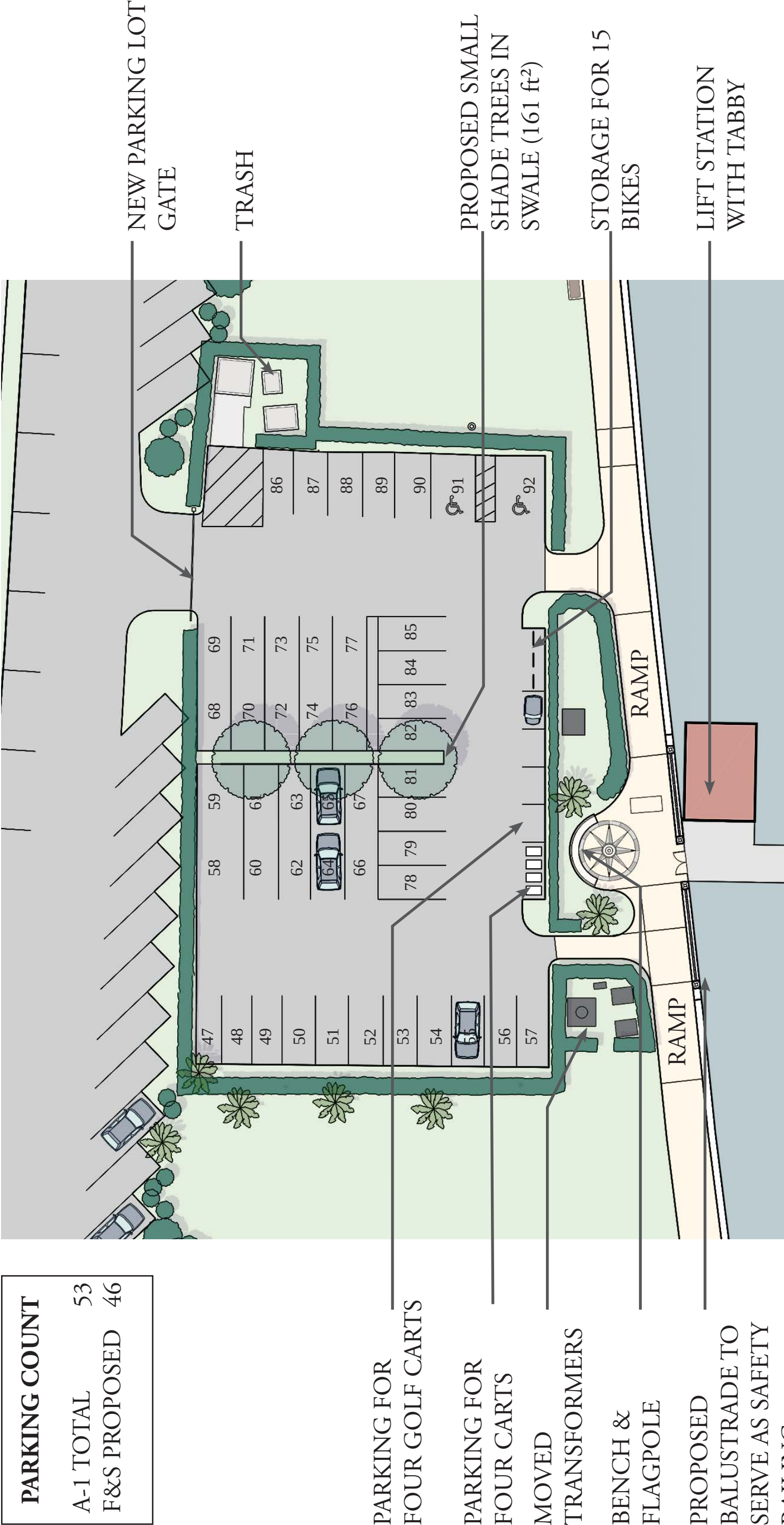
A-1 Parking



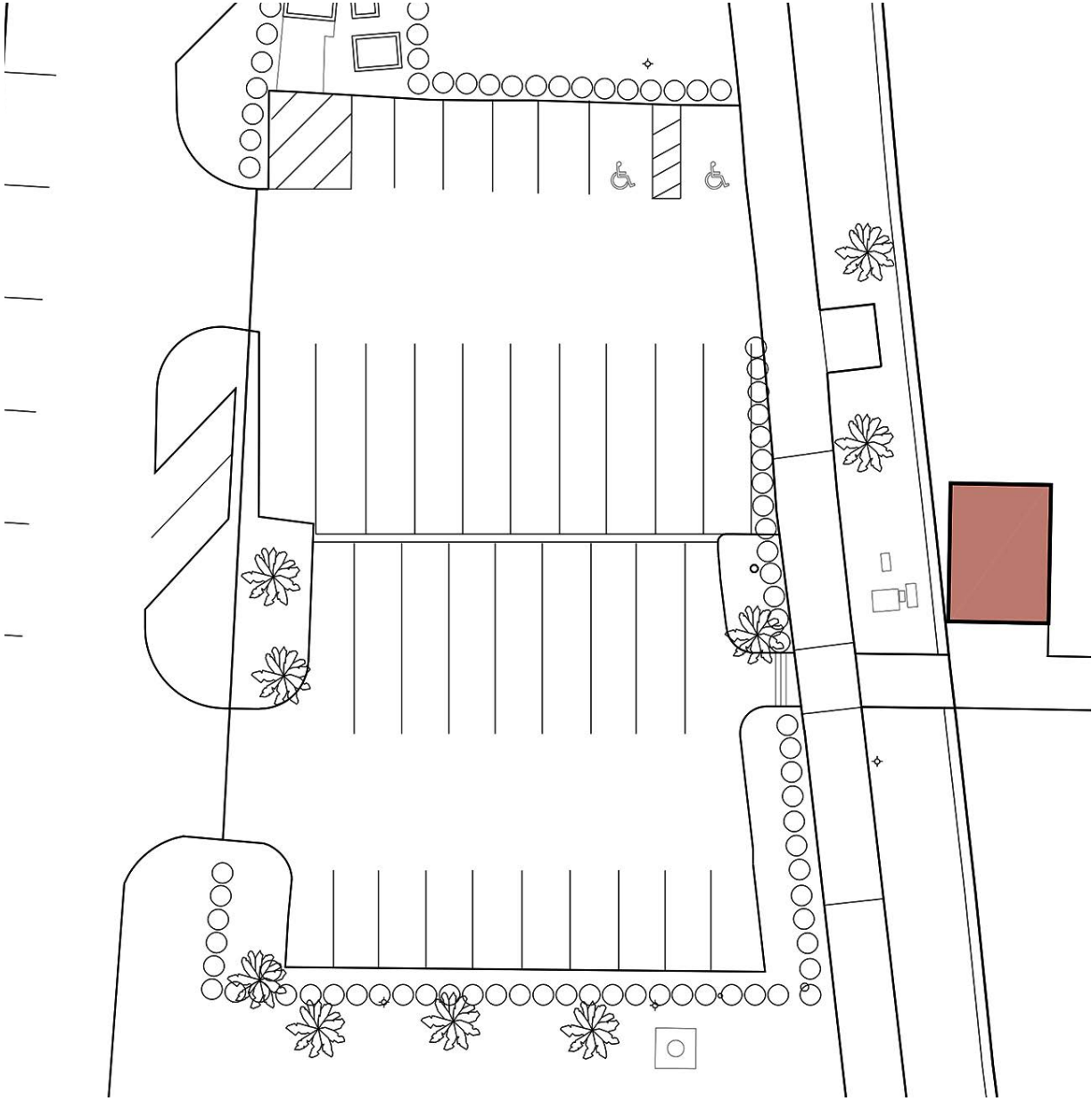
F & S Parking

Brazilian Parking Lot Comparison

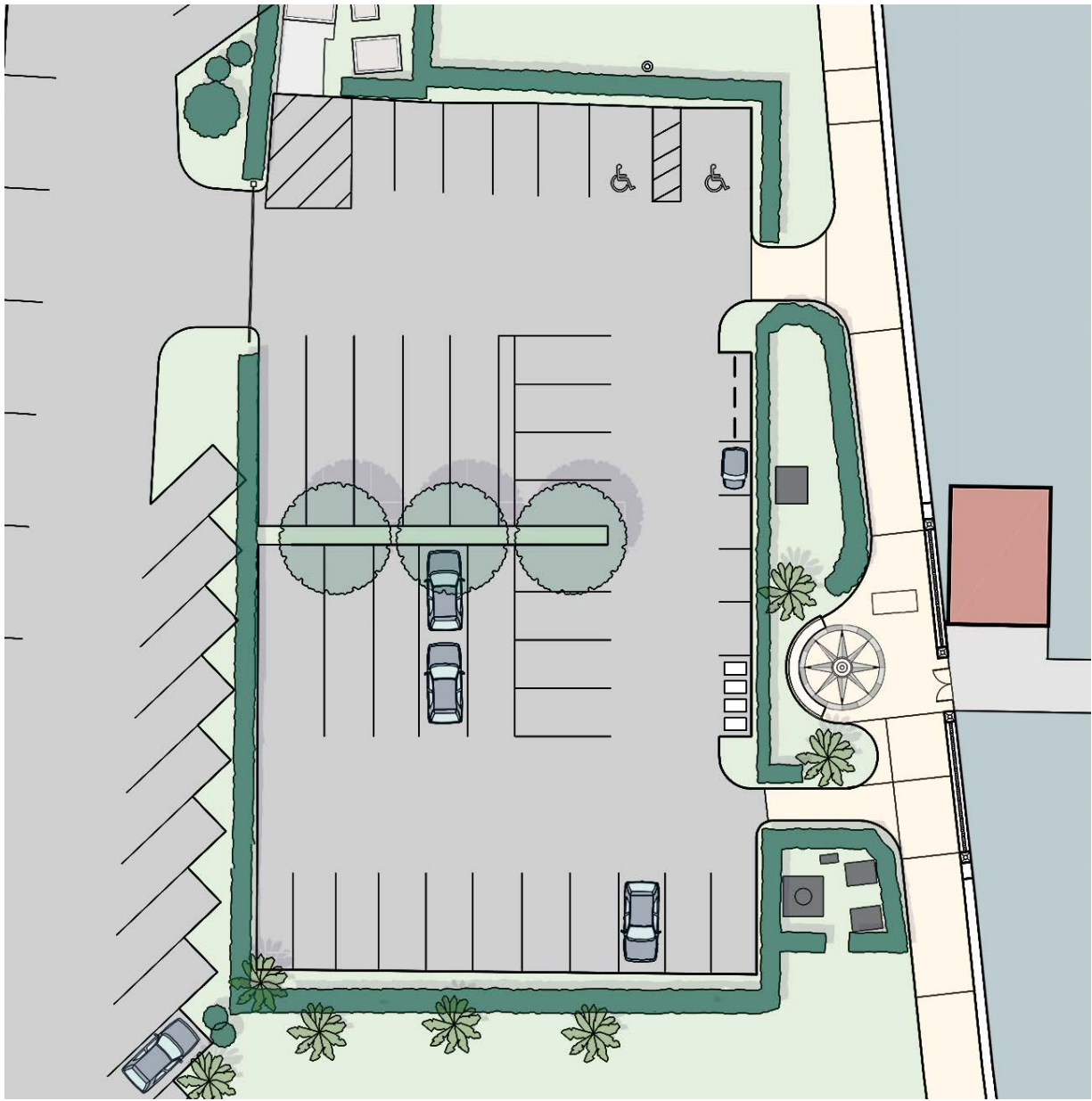
PARKING COUNT	
A-1 TOTAL	53
F&S PROPOSED	46



Australian Parking Lot

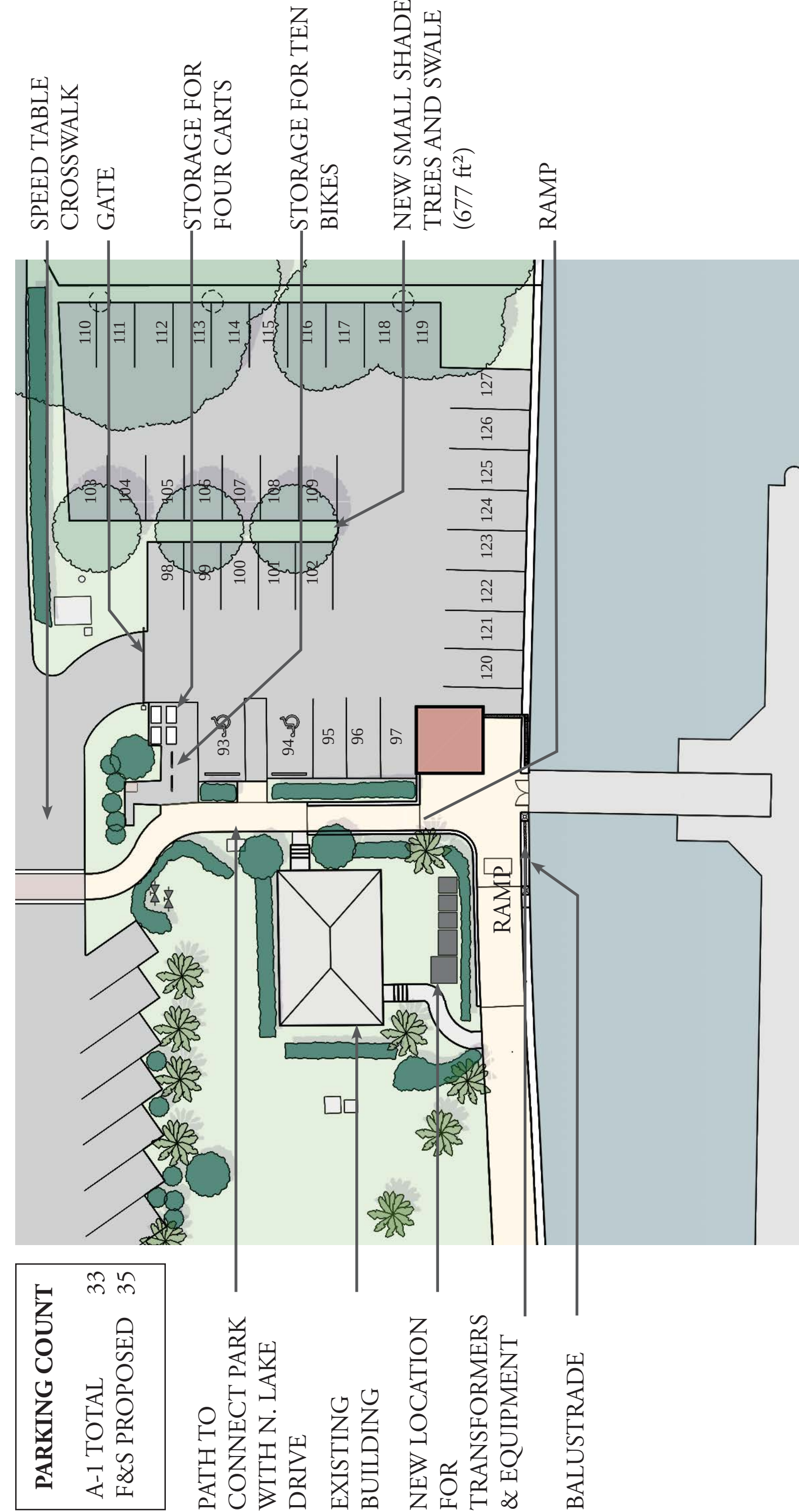


A-1 Parking

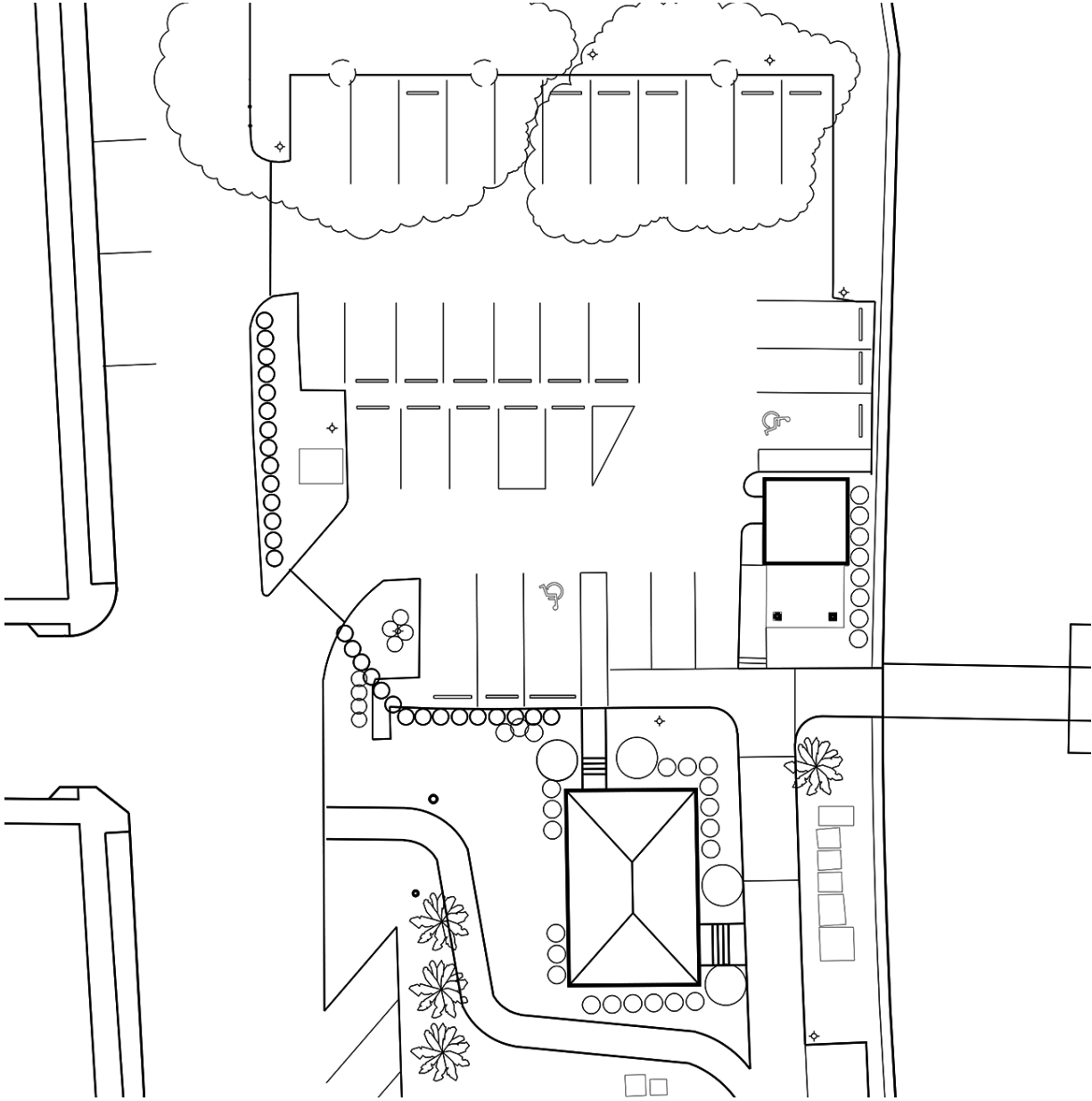


F & S Parking

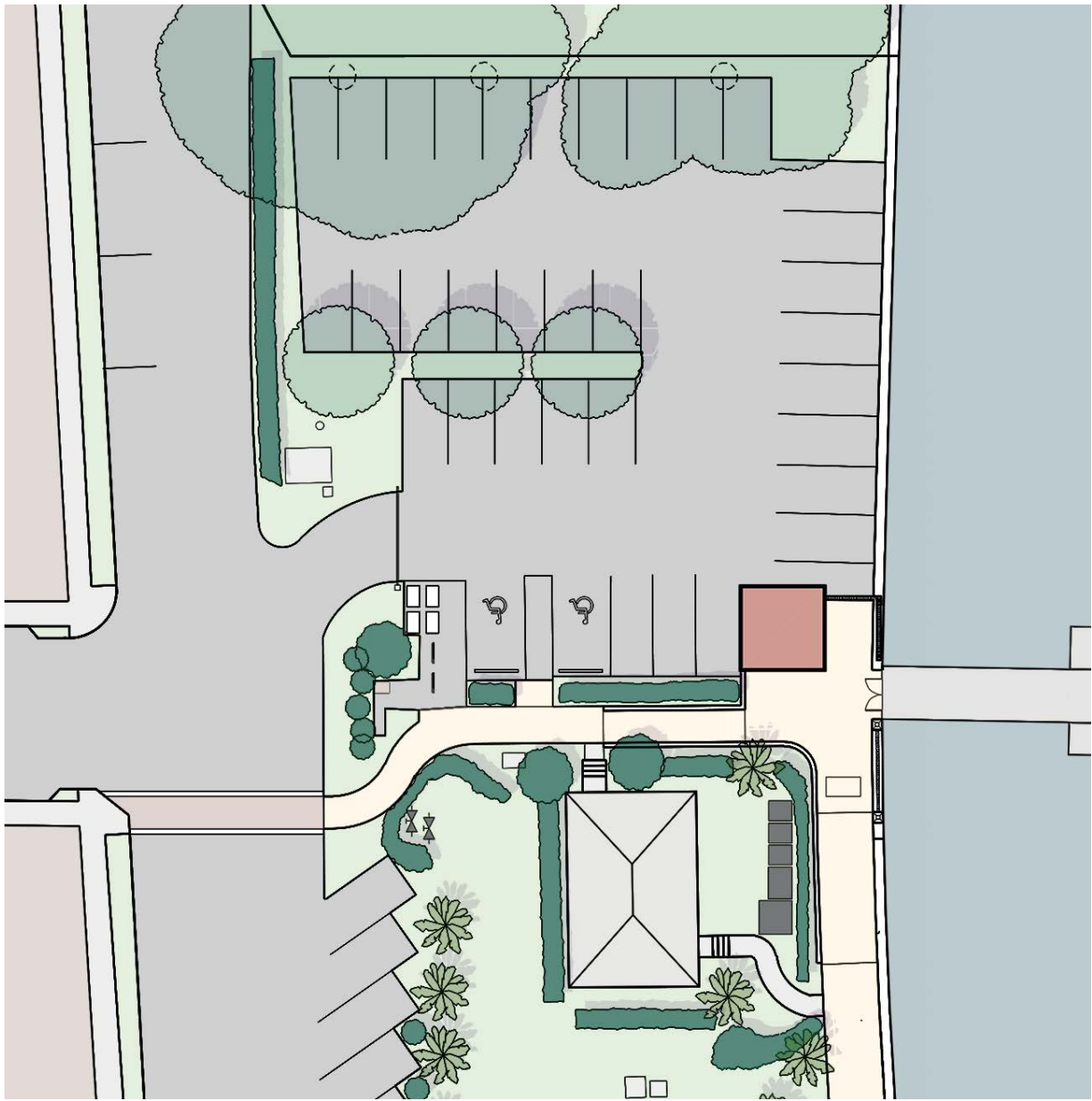
Australian Parking Lot Comparison



Peruvian Parking Lot



A-1 Parking

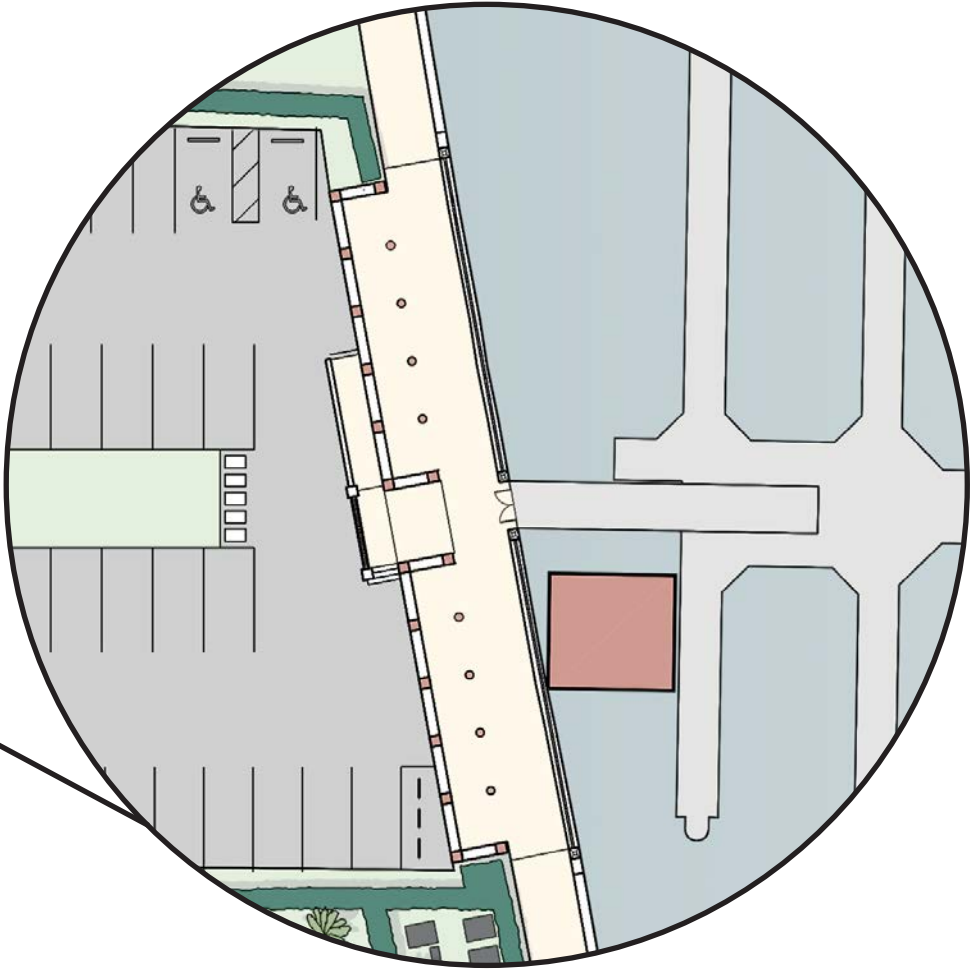
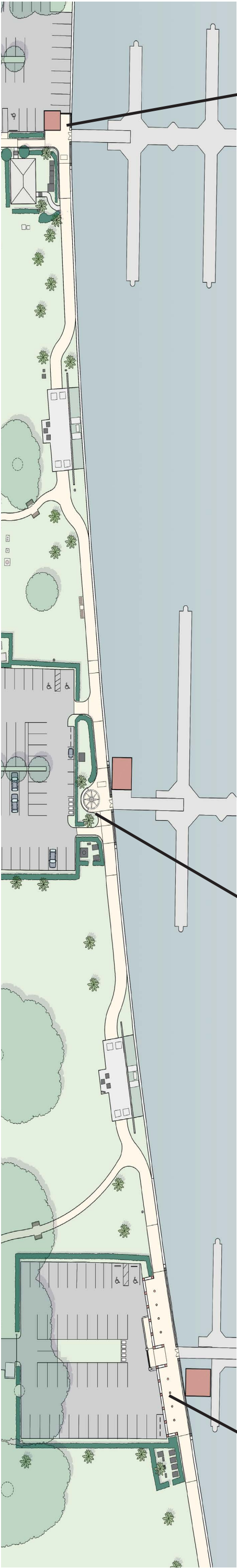


F & S Parking

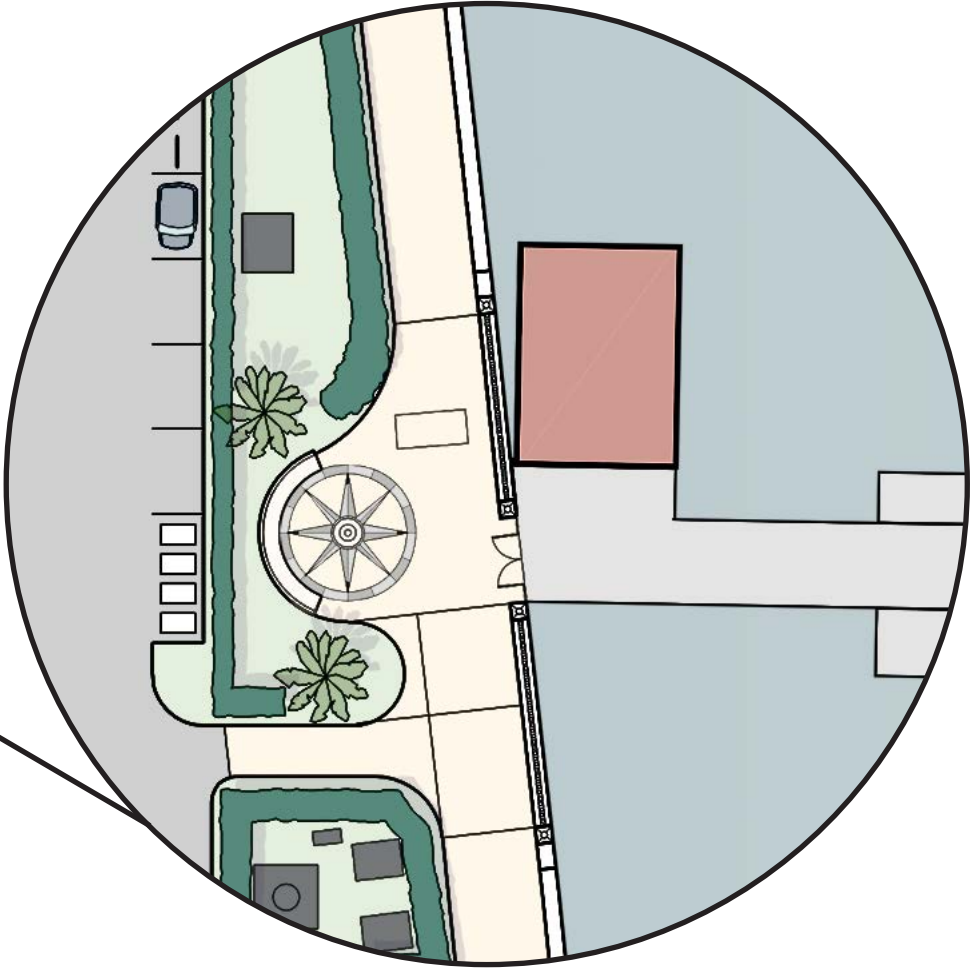
Peruvian Parking Lot Comparison

FAIRFAX, SAMMONS & PARTNERS LLC

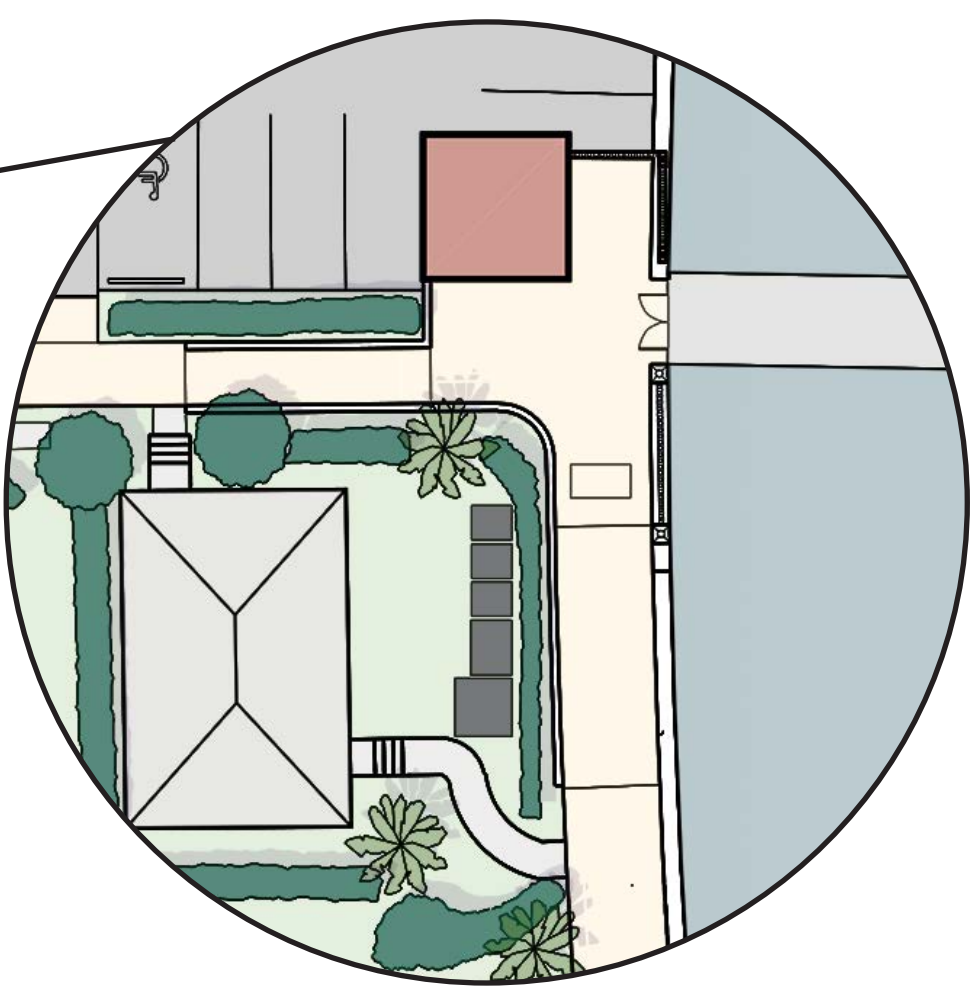
TOWN OF PALM BEACH MARINA & LAKE DRIVE PARK DESIGN REVIEW



Brazilian Dock



Australian Dock



Peruvian Dock

Make More Places along the Paths













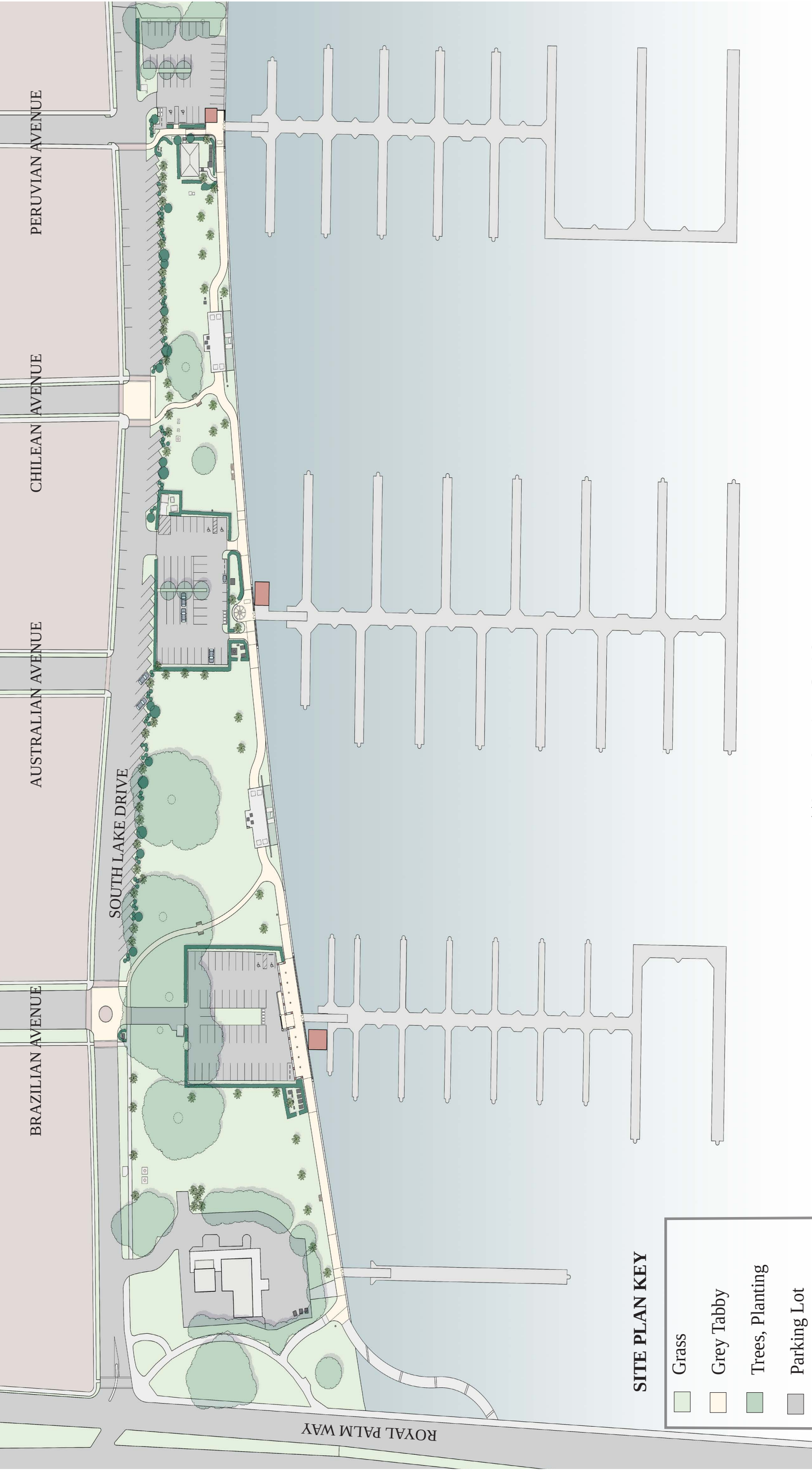






ITEM	UNIT	Unit Price	Quantity	Extended F & S Budget	Kimley Horn, Budget for “A” Plan	Difference
Park Items						
Curbs	LF	\$30	1105	\$33,000	\$25,950	\$7,050
Pathways in Park, Gray Tabby	SF	\$20	2834	\$56,680	Resurfacing of asphalt cost	\$5,668
Security gates at the street entrances to parking lots	Unit		3	10,800	\$37,500	-\$26,700
Water Fountain, Barrier -free with dog fountain	Unit	\$3,680	1	\$3,683	not included	\$3,683
Cast Stone Benches at Brazilian Dock	Unit	3500	7	\$24,500	not included	\$24,500
Cast Stone Benches at Australian Dock	Unit	14000	1 continuous	\$14,000	not included	\$14,000
Pergola at Brazilian Dock	Unit		1	\$392,000	not included	\$392,000
Decorative Cast Stone Balasters	LF	\$135	200	\$27,000	0	\$27,000
Decorative cast stone Volutes at seawall	Unit	\$500	5	\$2,500	\$2,500	\$2,500
Fencing	-	-	-	-	\$84,200	-\$84,000
Sidewalk	SY	\$60				
Professional Fees - to be provided by existing Consultant						
Landscape Architect Change Order to conform to new design						
Engineering design fee Change Order to conform to new design						
Civil Engineering for traffic calming design						
Traffic Calming Measures - to be provided by existing Consultant						
Roundabout at Brazilian Ave						
Raised crosswalk at Peruvian Ave						
Raised speedtable crosswalk at Australian Ave						
Lessening curb radius at Royal Palm Way						
New diagonal parking at removed parking entrances						
Parking Lots and Street Parking						
Removing asphalt entrances at Aust. & Peruv. park'g lots					not included	
New sod at Australian Parking Lot	SY	\$5	19	\$95	not included	\$95
New sod at Peruvian Parking Lot	SY	\$5	13	\$65	not included	\$65
New sod at Brazilian Parking Lot	SY	\$5	118	\$590	not included	\$590
New sod at "sawtooth" parking at S Lake Drive	SY	\$5	127	\$633	not included	\$633
New planting at "sawtooth" parking, parking lots	LUMP SUM			\$20,000	not included	\$20,000
Resurfacing parking lots	SY	\$3	4394	\$13,182.0	\$11,300	-6906
Pavement Marking	LF	\$2	3,350	\$6,700	6700	0

Budget

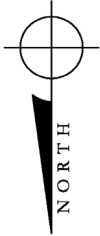


SITE PLAN KEY

	Grass
	Grey Tabby
	Trees, Planting
	Parking Lot
	Sidewalk
	Proposed Building

TOWN OF PALM BEACH

MARINA & LAKE DRIVE PARK



MURRAY LOGAN CONSTRUCTION, INC.

General Contractors

313 65TH TRAIL NORTH
WEST PALM BEACH, FLORIDA 33413
TELEPHONE (561) 686-3948
FAX (561) 686-7465

Excellence
Since
1968



July 30, 2020

Town of Palm Beach
Mr. Eric Brown

Re: Town Marina Project

Dear Eric:

Per your request we have estimated preliminary budget costs to incorporate electrical changes into our project in attempt to simplify potential future changes to the electrical equipment locations suggested in the Fairfax and Sammons Conceptual Plans.

For preliminary budget purposes we are including:

1. Lengthen G Cable from the Brazilian and Australian Docks so the conduit/wire path passes through or very near the potential relocation areas and then to the current locations. This would allow shortening of the wires instead of having to replace and lengthen them, and it lessens the impact to the site since the conduit would be installed at this time. Budget \$260,000.
2. Install additional Conduit and Pull Boxes for the Brazilian/Australian Docks for the lengthened G Cable and Conduit for potential relocation of Transformers/Switch Gear. Install additional Conduit at the Peruvian Dock for potential future relocation of the Transformers. Budget \$368,000.

Total Preliminary Budget Equals \$628,000.

The above budgets do not include engineering, voltage drop calculations, wire or gear upsizing and are subject to change as construction plans are developed.

Please contact me if you have any questions or if you need additional information.

Sincerely yours,

David Logan

David Logan
President

RESOLUTION NO. 62-2020

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH,
PALM BEACH COUNTY, FLORIDA, INCREASING PURCHASE ORDER NO.
190332 TO BAIRD AND ASSOCIATES, INC., IN THE AMOUNT OF \$50,000,
FOR CONSULTING SERVICES TO OBTAIN LANDMARKS PRESERVATION
COMMISSION CERTIFICATE OF APPROPRIATENESS AND TOWN
COUNCIL SITE PLAN APPROVAL, THEREBY INCREASING THE
PURCHASE ORDER FROM \$1,706,229.25 TO \$ 1,756,229.25.

* * * * *

BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves a purchase order increase of \$50,000 to Baird and Associates, Inc. for Consulting Services to obtain Landmarks Preservation Commission Certificate of Appropriateness and Town Council Site Plan Approval, thereby increasing the purchase order from \$1,706,229.25 to \$ 1,756,229.25.

Section 2. The Town Manager is hereby authorized to execute a change order on behalf of the Town of Palm Beach for the consulting services, and is authorized to approve additional tasks, as necessary, within budget.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said project, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 11th day of August 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk

RESOLUTION NO. 64-2020

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, INCREASING PURCHASE ORDER NO. 200662 TO MURRAY LOGAN CONSTRUCTION INC., IN THE AMOUNT OF \$700,000, FOR INSTALLATION OF ADDITIONAL CONDUIT, PULL BOXES AND CABLE TO FACILITATE THE LAKE DRIVE PARK REDESIGN PROJECT, THEREBY INCREASING THE PURCHASE ORDER FROM \$21,115,772.13 TO \$21,815,772.13.

* * * * *

BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves a purchase order increase of \$700,000 to Murray Logan Construction Inc., in the amount of \$700,000, for installation of additional conduit, pull boxes and cable to facilitate the Lake Drive Park Redesign Project, thereby increasing the purchase order from \$21,115,772.13 to \$21,815,772.13.

Section 2. The Town Manager is hereby authorized to execute a change order on behalf of the Town of Palm Beach for these services, and is authorized to approve additional tasks, as necessary, within budget.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said project, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 11th day of August 2020.

Gail L. Coniglio, Mayor

ATTEST:

Patricia Gayle-Gordon, Acting Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: August 11, 2020

Section of Agenda

Regular Agenda - New Business

Agenda Title

Consideration of Proposal from the Preservation Foundation to Complete a Masterplan for Improvements at Phipps Ocean Park

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- **Memorandum Dated August 3, 2020, from Jay Boodheshwar, Deputy Town Manager**
- **Letter Dated July 30, 2020, from Amanda Skier, Executive Director, Preservation Foundation of Palm Beach**

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2020

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Phipps Ocean Park Masterplan Proposal from the Preservation Foundation

Date: August 3, 2020

STAFF RECOMMENDATION

Staff recommends that the Mayor and Town Council accept the proposal from the Preservation Foundation of Palm Beach to fund the completion of a masterplan for improvement at Phipps Ocean Park by Raymond Jungles, Inc.

GENERAL INFORMATION

As indicated in the attached July 30, 2020, letter from Amanda Skier, Executive Director of the Preservation Foundation of Palm Beach, the Foundation would like the endorsement of the Town Council to engage Raymond Jungles, Inc. to complete a masterplan for phased and multi-year improvements at Phipps Ocean Park (inclusive of the property on the west side of South Ocean Blvd). The masterplan project was originally initiated with a focus on the Little Red Schoolhouse and the immediately areas around this structure, but after due consideration, the Foundation felt that a holistic evaluation of the entire park would be good for the Town and its residents, hence their offer to fund the work.

With multiple existing facilities already located in the park, including the South Fire Station, Phipps Tennis Center, a guarded beach with lifeguard facilities, public restrooms, parking lots, and a pump station, it was important that departments responsible for the oversight of these facilities discuss the Preservation Foundation's idea prior to presentation to Town Council. A preliminary conversation with Paul Brazil, Carolyn Stone and Darrel Donatto took place and all were enthusiastically supportive of a public/private partnership to complete an improvement plan that would enhance the aesthetics and functionality of the park.

It is our understanding that the masterplan would focus on a design using 100% native plantings, and incorporate improvements that would be Town serving and complimentary to the existing park facilities. The plan would be developed with the intent of a phased implementation over a number of years. The phases are outlined and shown on the following page.

- Phase 1: Little Red Schoolhouse Landscape Improvements and Eastern Streetscape
Phase 2: Dune Restoration and Western Streetscape
Phase 3: Main Park Area
Phase 4: South Parking Lot
Phase 5: North Parking Lot



If approved by Town Council, Town staff will serve on the master planning committee to ensure relevant input is provided pertaining to the existing functions/facilities in the park, as well as input on ideas that may contribute to the Town serving goal of the masterplan.

FUNDING/FISCAL IMPACT

The masterplan project will be 100% underwritten by the Preservation Foundation.

Attachment

cc: H. Paul Brazil, Director of Public Works
Carolyn Stone, Director of Business Development and Operations
Darrell Donatto, Fire-Rescue Chief
Amanda Skier, Executive Director of Preservation Foundation



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Executive Committee**

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Mrs. Paul Shiverick, *Secretary*
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July 30, 2020

Town Council
Town of Palm Beach
Post Office Box 2029
Palm Beach, FL 33480

Dear Mayor Coniglio, Council President Zeidman, and Town Council Members:

The first schoolhouse in Dade County was a one-room frame vernacular structure built near Bradley Park in 1886. In 1901, the County abandoned the schoolhouse and it became a toolshed on the John S. Phipps property. During an extension of North Lake Way in 1960, the schoolhouse was relocated to Phipps Ocean Park. The building sat vacant and unused until 1990 when the Preservation Foundation of Palm Beach signed a 99-year-lease with the Town to operate a living history program at the schoolhouse. Over 4,000 students from Palm Beach, Martin, and Broward counties participate in the program each year to experience a school day as it was in 1886.

Through the operation and maintenance of the schoolhouse over the last 30 years, the Preservation Foundation is keenly aware of the conditions at Phipps Ocean Park and its great potential to be more town-serving. The space is currently underutilized and its appearance unrepresentative of Palm Beach. There is a myriad of opportunities to enhance the park to better depict the whole cultural landscape and provide education around those features. Undoubtedly, investment in Phipps Ocean Park will improve the quality of life for residents of the town. One only need to refer to the great success of the nearby Par 3 project to understand the transformative nature of reinvestment in recreational areas.

The Preservation Foundation has been in conversations with Deputy Town Manager Jay Boodheshwar regarding a phased master plan for Phipps Ocean Park, which the Foundation would like to underwrite. In keeping with our efforts to provide education on the necessity of increasing the number of native plants on the island, we are proposing a 100% native landscape designed by the renowned landscape architect Raymond Jungles. This master plan would be developed in concert with Town staff and include community engagement sessions. The Foundation would donate the survey and master plan, estimated to cost \$140,000, and commit to fundraising for the completion of Phase 1. Timelines for future phases would be determined at a later date.

We request the opportunity to present this town-serving project to the Town Council for feedback and seek approval to work with Town staff to develop a phased master plan for Phipps Ocean Park.

Sincerely,

Amanda H. Skier
Executive Director

TOWN OF PALM BEACH

Town Council Meeting on: August 11, 2020

Section of Agenda

Regular Agenda - New Business

Agenda Title

Ownership and Use of Beach and Accesses Between Wells Road and Root Trail

Presenter

H. Paul Brazil, P.E., Director of Public Works

ATTACHMENTS:

- **Memorandum dated July 23, 2020, from H. Paul Brazil, P.E., Director of Public Works**

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: H. Paul Brazil, P. E., Director of Public Works

RE: Ownership and Use of Beach and Accesses Between Wells Road and Root Trail

DATE: July 23, 2020

STAFF RECOMMENDATION

Town staff recommends to Town Council that the Town continue to maintain public beach access points at Wells Road and Dunbar Road and requests direction regarding beach use and parking.

GENERAL INFORMATION

Beach Accesses

In 2019, residents along the 100 block of Atlantic Avenue inquired with Town staff regarding ownership and use of the Atlantic Avenue beach access. For several decades, Town staff has managed the beach access point as an extension of the road right-of-way. The maintenance and upkeep performed at the beach access by the Town has been consistent with other public beach access points in other areas of the Town. This has typically included a wooden staircase, a fence, minor landscaping, and limited pavers.

Following a review of historical documentation, including plats, deeds, and previous Town Council meeting minutes, it has been determined by the residents' legal counsel, as well as the Town Attorney's office, that the beach access point at Atlantic Avenue is a private beach access dedicated to the use of the residents in the 100 block of Atlantic Avenue.

Town staff recommends that the Town continue to provide garbage pick-up service at Atlantic Avenue, if requested by the Atlantic Avenue residents. This service is performed at other widely used private beach access parcels to reduce unwanted litter on the beach.

Wells Road and Dunbar Road remain as public beach accesses and will continue to meet the State standards as a secondary beach access point to maintain cost-sharing eligibility for the Mid-Town Beach Nourishment Project.

Atlantic Avenue, Everglade Avenue, Seminole Avenue, and Root Trail are all private beach access points and can be gated at the discretion of both the property owners and those with perpetual access rights. The next public beach access to the south is Sunset Avenue.

Beach Use

Once the public have entered the beach from one of the designated public access points, questions have been raised about use of the actual beach. Like other beaches in the Town, the beach between Wells Road and Root Trail have components that are on both private property and State lands. The demarcation line between the private and public areas is called the Erosion Control Line (ECL). The ECL was established before the first beach nourishment project in the area so that private properties would not gain land created by a project that used public funding; therefore, State submerged land simply became State emergent land.

Due to the ECL being located mid-berm and on sea turtle nesting habitat, there are limitations on what can be done to discourage the public from getting too close to the improved areas of the private properties. Installing post and rope on the beach is not an option this time of the year. If requested, Town staff can assist the residents with permitting this activity outside of sea turtle nesting season. Post and rope installations have significant and regular maintenance obligations to continue adhering to State regulatory authorizations.

Another solution would be for the private property owners to agree to new temporary construction easements with the Town (with funding relief from FEMA) to replace the vegetated dunes lost during Hurricane Dorian. This project is expected to be constructed this coming winter between November 1, 2020 and March 1, 2021. Sea oats are federally-protected dune vegetation that can buffer the improved private properties from the beach. Signage can be installed in approximately 100-foot spacing to inform beachgoers to stay off the vegetation. With signage, the Police Department could better enforce trespassers.

Parking

To maintain the secondary beach access, existing parking spaces on County Road must be maintained accessible to the public. Regulated spaces are allowed as long as the spaces are available to the general public. Removal of public parking spaces on County Road would result in a reduction in future State-eligible cost sharing and could also result with the Town being required to return State cost-sharing for recently completed beach nourishment. These spaces can be metered without effecting cost-sharing eligibility.

cc: John Randolph, Town Attorney
Wayne Bergman, Acting Director of Planning, Zoning, and Building
Paul Castro, Zoning Manager
Patricia Strayer, P.E., Town Engineer
Robert Weber, Coastal Program Manager